Labor-1935
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Alabama

Writers Shot Own Car, Says Graves, Branding Report A Cheap Hoax

Crusading Literati In State To Urge Veto Of Street Bill, Claim They Were Fired On Near Clanton; Ask Police Escort; Governor Investigates And Is Convinced They Framed' Affair For Publicity

The five crusading writers, representing the National League for the Defense of Political Prisoners, who came to Alabama to protest the anti-sedition bill, and who yesterday reported they had been fired upon near Clanton, "shot their own car as a cheap publicity stunt," Governor Graves declared last night.

The Governor announced an end to the investigation of the whole affair, declaring that a record of separate statements by the crusaders in the presence of their counsel gave indisputable proof that "it was a frame-up from start to finish."

The Governor's statement was issued after he had received a report from Winston Huddleston, circuit solicitor and one of the smartest investigators in Alabama. Solicitor Huddleston advised the representatives themselves, upon authority of the Governor, that they had framed the story, and the writers left Clanton, where the investigation was held, for Birmingham and Tennessee.

Their request for a police escort to the Tennessee line was denied upon the ground that it was unjustified and that the State of Alabama did not propose to be a party to the hoax.

Advised that the entire affair had been proven a hoax by glaring discrepancies in their own stories, by the physical facts of the evidence, and by impartial witnesses near the scene of the "shooting," only one representative protested.

He was Writer Alfred Hirsch, of New York, who, according to the record, couldn't designate the color of the car, the type of the car, whether sedan or coach or coupe, or whether the man alleged to have fired the shot wore a coat, or a hat. But the shooting, he declared, did not occur until the car had passed 30 feet beyond the car in which he was riding.

Three of his four comrades, the Solicitor said, stated that the shooting occurred as the passing car drew alongside and opposite the committee's machine, but none of them could describe the car other than to say it was of a "dark color" and a large car.

They told of a man, seated on the right of the passing car, stretching out an arm to fire on the car, but could not say whether the arm was in a shirt or coat sleeve or whether it was sleeveless, the Solicitor said.

The scene of the "shooting" was about 13 1-2 miles South of Clanton on the Montgomery highway, and about 200 yards north of the overpass over the Louisville and Nashville Railroad at Mountain Creek.

A short stretch of wooded section flanks the highway at this point, but behind the strip of woods is the home of Dr. Baldwin, which is not immediately visible to the highway.

One hundred yards south of the scene, and around a curve is a filling station, operated by a woman, whose name was not available last night.

The representatives reported that they were en route to Montgomery from Birmingham. They had breakfasted in Clanton at about 8 a.m. and the "shooting" occurred between 8 and 9 a.m. The party was riding in a coupe with rumble seat, with Miss Shirley Hopkins, of Truro, Mass., driving. Seated next to her was Hirsch and next was Bruce Crawford, of Norton, Va. On the rumble seat were Emmett Gowan, of La Vergne, Tenn., and Jack Conroy, of Moberly, Mo.

Miss Hopkins, in the presence of Attorney C. D. Powell, of Birmingham, representing the National League for the Defense of Political Prisoners, told Solicitor Huddleston that she was driving about 50 miles an hour when the car passed her.

"Miss Hopkins said," the Solicitor reported, "that as the car drew about even to where she was seated that a man began shooting and that the pistol was leveled at her. I asked her if she was not close enough to touch the pistol and she replied in the affirmative. When I asked how it was possible for them to have escaped at such close range, she said he dropped the pistol down.

"She said by the time the rear end of the car had reached the front end of her car that the shooting was over.

Reports Threat

Miss Hopkins, the solicitor said, told of having been told in Birmingham that if she did not get out of town she would be knifed. However, when her companions were questioned, the solicitor said, he learned that she had not told any of them of having been threatened in Birmingham. She said it was a large dark-colored closed car, he said. She said she did not know whether the man had on a hat or coat, or whether the outstretched arm was in a shirt or coat sleeve and the car she described as having a "new look" and was of a "dark color" the solicitor said.

Miss Hopkins, the Solicitor reported, said she did not stop but drove directly to the filling station, a distance of about 100 yards, and turned around and returned to Clanton.

Crawford, the Solicitor said, stated the firing began as the car began to pass. He said he remained calm, and noted that the weapon was a .45 automatic. He was unable to say, the Solicitor said, more than it was a "new looking" car, nor could he say whether the extended arm of the man was coatless, or whether the man wore a hat.

Conroy, the Solicitor said, described the car as a two-seated car and said he saw two men on the front seat. Questioned further, the Solicitor said, Conroy was unable to say whether they were coatless or hatless or both, nor could he offer a clue as to the make of the automobile.

None of the witnesses, he said, could say whether the car had a license plate.

Gowan told of having seen an outstretched arm and a .45 automatic, the Solictor said.

"Tell him how you knew it was a .45 automatic," Attorney Powell prompted.

"Because I used to be in the Marines."

Former Marine, Reporter

But Gowan could not give a clue to whether the arm was coatless or shirtless, the Solicitor said. Gowan, he said, reproved himself for not having noted more details, stating that he was once a newspaperman and that he was trained to observe.

Hirsch, the Solicitor said, was positive that no firing was done until after the car had passed for a distance of 30 feet. Hirsch, he said, described the pistol as being more than a foot in length.

All testified, the solicitor said, that they did not stop but drove directly to the filling station, a distance of about 100 yards, turned around and returned to Clanton.

But the woman who operated the filling station, the solicitor said, did not bear out this contention. In the presence of Attorney Powell, Crawford and Conroy, the solicitor said, he questioned the woman. The woman said she did not know who the men were, he said, at the time she was questioned.

The filling station woman, the solicitor said, told them she had heard some shooting and that fully 15 minutes elapsed before the car reached her filling station and turned around. At first, the solicitor said, the woman estimated the lapse of time at 20 minutes, but set it at 15 minutes, to be conservative.

Conroy and Crawford both told the woman, he said, that her statement was not true.

Solicitor Huddleston said he picked up two automatic shells near the spot where the shooting occurred and found a leaden bullet imbedded in the pavement. One bullet passed through the lower part of the left fender and the other glanced from the lower part of the left fender.

Dr. Baldwin was questioned by the Solicitor, after he had received the statement of the representatives. Dr. Baldwin, he said, heard the shots and thought it was "a drunken fool on the highway."

Dr. Baldwin said he heard only one car at the time.

The investigation completed Solicitor Huddleston faced the group in a room in the Exchange Hotel at Clanton.

"What do you want done?" he asked. "You haven't given us a thing to work on. We have no description of the car, no description of anything.

Attorney Powell, he said, suggested they should go back to Tennessee.

Accused of Hoax

"Then I told them," the Solicitor said, "that I thought the whole thing was a frame-up and that the Governor was of the same opinion. I told them that it was done with the idea of getting publicity and that we would not be a party to aiding them further by sending an escort."

Hirsch, he said, arose and charged that he had investigated the shooting with his "mind made up," that he had misled them and had obtained statements from them by "being smooth and nice to them."

The Solicitor pointed to the facts that he had gone without his dinner to investigate the "hoax" as proof that he wanted to get to the bottom of the affair as speedily as possible.

He pointed out that there was no other conclusion to be reached, and cited that after the shooting they had driven away from telephones at Mountain Creek, through the town of Verbena and through the town of Coopers to return to Clanton before they ever placed a telephone call or reported the affair. Three of the first calls were to Birmingham, one of them to a Birmingham newspaper the Solicitor said.

Hirsch, he said, expressed a sincere hope that the Associated Press would be apprised of the story.

Senator McAdoo (D) California, proposed that the administration's bill to ban suits for damages because of the government's abrogation of gold clause contracts be changed to provide a six-months period for the filing of such suits.

Writers Defy 'Anti-Red' Law

Two of the group of writers whose claim they were fired on near Clanton yesterday was branded a fake by Gov. Graves are shown above. Bent on testing a municipal ordinance designed to prohibit the circulation of designated types of radical literature in Birmingham, they invaded the city and distributed copies of The Daily Worker, Communist organ, and other liberal publications. Police let them go their way unmolested. Bruce Crawford (left) of Norton, Va., and Shirley Hopkins, of Truro, Mass., are shown handing out the literature in front of the city hall. (Associated Press photo.)

Alabama.

Labor – 1935

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Textile Council Of State Meets

Operators Are Warned To Keep Pact By Gorman At Gadsden Meeting

Advertiser 2-11-35

GADSDEN, ALA., Feb. 10.—(AP)—Textile operators of the nation today were warned by Francis J. Gorman, international vice-president of the United Textile Workers of America, that the "greatest strike in the history of the country" will result if terms of the settlement of last year's walkout were not adhered to by employers.

Gorman, speaking before a public meeting after a session of the Alabama council of the United Textile Workers of America, said he had no authority to call a strike, but added. "unless employers carry out their part of the textile settlement made following the national strike 'they' will see the greatest strike in the history of the country."

The courtroom of the Etowah County Courthouse where Gorman spoke was crowded to capacity and amplifiers carry addresses to large crowds gathered outside.

Gorman said the only hope for the textile worker in Alabama was to strengthen their organization. He described conditions in the State as regards the "stretchout" and pay the worst in the Union.

In a closed session in the forenoon, the Alabama council went on record opposing the Street anti-communist bill, and adopted other resolutions on questions affecting workers.

In addition to Gorman, speakers before the afternoon session were, George Googe, Southern representative of the A. F. O. L., John Pell, international vice-president of the textile union, and W. O. Hare, secretary of the Alabama Federation of Labor.

In the council 100 delegates were registered representing the 40 locals in the State.

The resolution on the Street communism bill placed the organization in the State on record as opposing adoption of the measure, designed to curb activity of alleged communist organizers in the State, and asked that Gov. Bibb Graves veto the measure if it was passed.

The bill which provoked heated debate before its adoption by the House, now is before the Senate, for consideration on the reconvening of the Legislature which recessed Friday until April 30.

The council in another resolution asked an investigation of the Federal relief agencies in the State, particularly at Winfield, where it was alleged an agent of a cotton mill was directing relief.

Advertiser 2-11-35

In another resolution, repeal of anti-picketing laws was asked, and another put the council on record against opposing the "stretchout" system.

Six Men Are Jailed In Textile Mill Shooting

DAISY, TENN., Feb. 11.—(AP)—Six men described by Deputy Sheriff Joe E. Shipp as striking textile workers were held in jail here today on charges of shooting George Clayton, 17-year-old Daisy youth who was slightly wounded by a rifle bullet as he passed a union picket tent in an automobile early today.

The boy was not seriously hurt, Deputy Sheriff Shipp said, and was expected to be released from a Chattanooga hospital this afternoon. The officer said the situation was quiet throughout the day following the arrest of the six men.

Young Clayton said he and two companions were fired upon as they passed the tent of the pickets near the Daisy plant of the Richmond Hosiery Mills, scene of numerous disorders in recent weeks. He said his automobile backfired as it passed the tent and that a volley of shots was fired at the car.

Officers on duty in the vicinity since the outbreak of strike troubles arrested six men who were booked as: Ward Smith, Gas Stephens, Louis Penny, Joe Ivey, H. B. Rogers and Rufus Sparks.

Members of the textile workers union have been picketing the Daisy plant of the Richmond Hosiery Mills for several weeks .The plant is just across the line in Tennessee, a short distance from the Georgia mills of the Richmond plant where a protracted wage dispute resulted in calling out the national guard.

Clayton and his two companions were not connected with the Daisy plant.

Sheriff Shipp said he did not believe the latest outbreak would result in an addition to the group of special officers on duty near the plants. In Atlanta, Adjt. Gen. Lindley Camp said he had not been advised of the shooting of young Clayton and that the latest reports reaching him indicated the situation in Rossville remained quiet. The main plant of the Richmond Hosiery Mills is located in Rossville.

Alabama Union Miners Ready To Call Strike

Daily Worker

Determined to Walk Out for Closed Shop— Hit Red-Scare

3-12-35

BIRMINGHAM, Ala., March 11.—At a conference of delegates from locals of the United Mine Workers of America held on March 7 in Wylam, Ala., a complete set of demands for the April 1 contract were adopted. These demands include the 6-hour day, 5-day week, a 50 cents per day increase for all miners, the closed shop, and the rehiring of all blacklisted union men. These demands have been forwarded to Bill Mitch, president of District 20, U.M.W. of A., who has gone to Washington to negotiate with the coal operators.

The District officials are doing all their talk about an increase in wages, and have not mentioned the closed shop demand, which is the main demand of the rank and file miners. Last April Bill Mitch traded a 10 per cent washer loss, which wiped out the 40 cents per day wage increase, for the check-off. Now the rank and file miners are demanding that the check-off be done away with because it is being used as a blacklist by the company, and that dues be paid to the local unions. No doubt Mitch will be forced to deal carefully with the miners because of the growing revolt of the rank and file.

The captive miners are determined to strike for the closed shop and Mitch's talk about wage increases will mean little. The company union miners say the bosses will not even recognize Mitch this time. let alone the United Mine Workers.

The Birmingham News gives a challenge to the miners in the March 7 issue when it says: "Organized approximately 50 per cent. The captive mine workers (the company union) probably will accept the challenge if the strike comes and will provide work for those miners who want to work."

The company union has no way of gauging its strength because most of the members have been forced into it under threat of being kicked out of their company-owned homes. A large percentage of the miners in the company union will follow the United Mine Workers.

The red scare is being raised all over the district, and every militant leader, some of whom have perhaps never read even a Communist leaflet, are being labeled Red. In answering this one leader said if it took Communism to win, the sooner we got it the better.

The Sedition Bill, which was put up by the coal operators, is meeting the opposition of all labor unions in spite of the back-sliding tactics of the A. F. of L. officials. The miners know, regardless of the compromise the fakers are trying to make to exclude union labor from the jurisdiction of the Bill, that every militant leader will go to jail under such a law.

Southland Plant To Reopen Here

Advertiser 3-18-35

The Southland Manufacturing Company plant, closed for several months will be reopened, C. Giesing, manager, announced yesterday at a gathering of about 150 former employes of the plant in the Day Street Church.

The meeting was called by Morris Smith, local negro leader, upon request of Dr. G. Lake Imes, of Tuskegee Institute.

Manager Giesing did not announce the date for reopening of the plant, but said the plant was being rearranged and some new equipment was being installed at a cost of about $15,000. He said, however, that the plant would be reopened.

Morris Smith presided. Dr. Imes, representative of Tuskegee Institute, and President Moton told the workers the "colored people had been put on the spot" in the NRA regulations governing operations of the plant and that they would have to do work that would come up to the NRA standard if they expected to get NRA pay.

Objects To Alabama Miners Being Forced To Abide By Northern Parley

Post 3-30-35

Editor, The Post:

We see where William Mitch president of District 20, U. M. W. of A., is in Washington, helping to put over a contract for wages and hours to govern miners and operators in Northern states.

The operators of Alabama are not a part of this conference. Neither are the miners. It looks like the operators and miners of Alabama are being made a cat's paw in the interest of the Northern coal fields.

If they fail to agree up there, as the mines of Alabama having not tried to negotiate a contract, they expect our mines to shut down.

Never before in the history of contracts between the operators and the union miners of this state, have we depended and had to wait on the action of other states. Has the time come when men imported from other states to rule over the destiny of the coal mining business of Alabama shall say the miners of Alabama must not enter into negotiations?

From press reports the operators are ready and willing to go into conference in Alabama, but must wait the pleasure of the gentleman from Indiana.

In years past, conventions were called a month or more before the mine contract expired and a wage scale was drawn up to present to the operators, allowing plenty of time for its consideration by both the miners and the operators. And I don't recollect of but one disagreement that caused a suspension of work in over 40 years.

T. O. JONES,
Trafford, Ala.

TODAY MAY BE LAST WORK DAY IN COAL MINES

Post

Men Are Uncertain About Returning, As Strike Status Is Unknown

3-30-35

Alabama's 21,000 coal miners went to their jobs today uncertain when they next will report for work.

Threats of a nation-wide mine strike persisted as the deadline of negotiation of new wage contracts with the United Mine Workers of America stood but three days away.

Due to a five-day work week, tomorrow and Sunday are normally idle days at the mines. On Monday the shafts will be closed in observance of an annual miners' holiday celebrating establishment of

the eight-hour day.

Union leaders and operators in this district waited with uncertainty for some word from Washington that might avert a walkout.

Only hope of averting a strike apparently hinged upon the success of NRA's intervention in the deadlock between U. M. W. A. leaders and the operators, in conference in Washington.

"I've no idea what will develop between now and Tuesday," W. H. Raney, U. M. W. A. representative in Birmingham, said. "Everything depends on what happens in Washington. The miners have been given no instructions one way or another."

Mr. Raney was hopeful that the intervention yesterday of Donald R. Richberg, NRA chief, might solve the dispute.

Meanwhile, steel and iron companies in the Birmingham district posted notice that their mines would be open as usual Tuesday whether or not a strike is called for any miners who want to work.

Birmingham, Ala. New
April 17, 1935

COMMUNISTS IN SOUTHERN DRIVE

Author On Red Activities Addresses Meeting Of Kiwanis Club

Communists are making strong headway in the South and unless the liberty-loving, loyal citizens of this section take steps to stem the tide, danger is ahead, Mrs. Elizabeth Dilling, Chicago, author of "Communism in America," said in an address before the Kiwanis Club at the Tutwiler Hotel Tuesday.

She said it has not gained the strength here that it has in the North, but that hordes of Northern Soviets are coming into the South to preach the Red doctrine, which is atheism, free love and overthrow of the government and American institutions.

Mrs. Dilling spent several years in Russia studying the Soviet system of government and the communistic theory, and also has continued her research in this country, where, she says, it has permeated schools, colleges and universities. It is working through the churches she said, turning Christian people to atheism.

Disloyalty Urged

"They demand free speech, free press and free assembly," she said. 'Yes, they want free speech to preach their nefarious doctrine free press to spread their propaganda and free assembly to gather in those who can be influenced by them. They boast that they have killed anti-sedition bills in State Legislatures, and publish in their papers names of college and university presidents, prominent ministers and social workers who have protested against the passage of bills that would curb the activities of the Communists and Socialists.

They tell of four alternatives the Communists have: Enter war, which is foolish; enter jails, which is foolish; stay out of war, and sabotage, which means destroy property, destroy war materials and equipment. They urge disloyalty to the government, and advocate the taking over of property of capitalists, which means persons who have worked and earned.

She said the South is called the Bible Belt and expressed the hope that it would retain that name and continue true to God and country.

She said the Communists are working underground in the South, among the Negroes, and declare they will destroy governments in the South and set up a Soviet. They lure the Negro, she said, with promises of land and social equality.

Mrs. Dilling said there are several Socialists and Communists in the NRA, and that they are sending socialistic and communistic literature into the schools of the South. She exhibited some of the literature she says is being sent to the schools of this section.

The meeting Tuesday was attended by an unusually large number of Kiwanis Club members and others who had expressed a desire to hear Mrs. Dilling.

Next Tuesday Lieut. Col. R. S. Thomas, government engineer in charge of the Alabama district rivers and harbors, will be the speaker, and it is understood he will talk about the proposed Tennessee-Gulf Canal, with special reference to the Warrior River route.

DECISION DUE IN LAUNDRY STRIKE

Post

Mass Meeting Of Unions To Be Held Tomorrow

3-27-35

Decision in a threatened laundry strike in Birmingham is expected to be made at a mass meeting of union laundry workers at 7:30 p. m. tomorrow at the courthouse.

Union officials have been negotiating with the laundry owners for several days for new wage contracts providing a three per cent pay increase. The old contracts expired March 15.

"We are making progress with three or four of the operators," Ike Robinton, union representative, said today. "With the others, things are moving slowly."

FORCES RETURN TO PITS AFTER WEEK'S CLOSE

Coast 4-8-35

Birmingham, Ala.

Commercial Companies To Resume Operations Monday At Old Scale Of Wages Pending Negotiation Of New Union Contract

ORDER FOLLOWS NRA INTERVENTION

Work Notices Are Posted For Employes; Will Continue In Effect Until Next June 16 Unless New Agreement Is Reached

Commercial coal mines of Alabama, which have been closed down this week during contract uncertainty between operators and employe, will resume operations Monday and approximately 12,000 men will go back to work, the Alabama Mining Institute announced this afternoon.

As the announcement was made, Frank Hayes, vice-president of the United Mine Workers of America was on his way to Birmingham to confer with mine operators on a contract.

The wage scales in effect at the mines before March 30, when the old contract expired will be paid until a new contract is agreed upon.

Post Work Notices

The work notices were to be posted at the mines this afternoon.

The notices follow a conference between a sub-committee of the operators with national recovery administrators and John L. Lewis, president of the United Mine Workers in Washington yesterday.

The sub-committe was composed of D. A. Thomas, H. T. DeBardeleben, and Preston Haskell Jr.

The work notices read:

"In accordance with the understanding with the National Recovery Administration this mine will for the time being operate at the existing scale with the understanding that in the absence of a satisfactory agreement as a result of district negotiations, the National Recovery Administration will act promptly upon the application of operators of Division No. 3 for reconsidering the National Recovery Administration's order issued March 30, 1935."

The NRA's order of March 30 extended the wage scale until June 16 or until such time as a new scale was agreed upon.

Jury Frees Two Held on Alabama Gag Law Charge

Daily Worker

6-10-35

(Special to the Daily Worker)

BIRMINGHAM, Ala., June 9.—Blaine Owen, Communist leader and Robert Wood, district secretary of the International Labor Defense were found not guilty of violating the Downs Literature Law after a trial last Friday, when the prosecutor failed to prove that Owen edited and distributed the Southern Worker, Communist weekly paper.

The favorable verdict was returned by the jury despite the efforts of the prosecution to prejudice the jurors against the defendants by reading the demands of the Eighth Convention of the Communist Party for full equality for the Negro people and self-determination for the Negro majorities in the "Black Belt" territories of the South. During the reading, the learned prosecutor was forced to ask the judge to explain the term proletariat.

The prosecution received a sharp set-back when a union engraver refused to testify that Owens had to his knowledge bought engravings for the Southern Worker. A Scripps-Howard reporter also testified for the defense.

Alabama

Labor—1935

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Mine Union Strengthened After Alabama Coal Strike Victory

By STEVE GRAHAM

BIRMINGHAM, Ala., Nov. 19.—A spectacular mass meeting, to which the Birmingham Trades Council is inviting William Green and John L. Lewis, is being planned for next Sunday to take up the questions confronting organized labor in Alabama as a result of the coal strike.

In spite of Governor Graves' public announcement that a new Grand Jury would be drawn in St. Clair County to re-investigate the murder of Virgil Thomas, union miner of Nyota, by Alabama Fuel and Iron Co. thugs, A. G. Teague, circuit clerk of St. Clair County, announced Saturday night that he had no official notification that the juries would be drawn. In the meantime John Rich, the company thug who murdered Virgil Thomas, is out on bail pending hearing before the next session of the Circuit Court in Pell City.

The Share Croppers Union has proposed to John L. Lewis that a concerted drive to smash terror be started, with all labor and farmers organizations involved, and to take up the cases of the six murdered cotton pickers in Lowndes County during the strike in August.

Victory Ends Coal Strike

BIRMINGHAM, Ala., Nov. 19.—The eight week strike of the 20,000 union miners in the Alabama coal fields has ended in victory for the striking miners. Though the miners will return to work without gaining the full increases demanded on Sept. 23 when the Alabama miners stopped work together with the U. M. W. A. miners throughout the country, yet the increases gained must be regarded as a definite and important victory. Under the terms of the new contract the miners are to receive a 20 cents a day increase for day laborers and a 4½ cent increase for tonnage work. This increase was accepted after pressure from Governor Bibb Graves who presented it as "a 50-50 compromise." The demands as originally made coincided with the gains obtained in the rest of the country, 50 cents a day increase for day work and nine cents a ton increase for tonnage work.

The attack by the coal operators in the last few days became increasingly sharp. The victory gained by the miners attains greater meaning when this is kept in mind. The young union movement in the South and its struggle for survival and growth were all pictured in the recent strike. The attack was so sharp that it became necessary for labor to step forward aggressively in order to preserve its gains and organization perfected in past years. On Sunday a huge mass meeting, sponsored jointly by the Birmingham Trades Council and District 20, U. M. W. A., was held in the Municipal Auditorium to rally labor against the "conspiracy to wreck organized labor in Alabama." The meeting was called after a gathering took place of Central Trades Council heads and officials of the Alabama Federation of Labor. The Birmingham Trades Council had a few days previously adopted a vigorous resolution against the "slaughtering of peaceful citizens" and denouncing "armed camps, with machine guns, dynamite and forts."

The attack against union labor, through falsehoods in the local press depicting labor leaders as "gangsters and racketeers" and "outsiders," the help of a Federal Court injunction and other means, threatened to defeat the strike. The inspiring solidarity of the miners raises to a higher level the meaning and strength of unionization in the South. The workers have demonstrated that they are beginning to more clearly understand the meaning of class struggle and the significance of class issues in labor struggles. Three union miners, writing to the Birmingham Post, serve to exemplify the Southern workers' increased understanding. "This present struggle," they wrote, "involves not only the fate of the coal industry, but the fate of the U. M. W. A. in Alabama. It is a struggle of Alabama interests to keep labor under industrial slavery." Another worker wrote his opinion that he did "not doubt that the wage cost of coal is high. But that is because too much goes to the officers and executives. And not enough to the working man."

The day before the strike ended Federal Judge E. H. Dryer came to the aid of the operators in rendering an unprecedented anti-labor decision which miners' leaders characterized as being in "language sounding exactly like the language of Forney Johnston, coal operators' attorney." On the application "in receivership" of the De Bardeleben Coal Corporation, at whose other mines one union miner was murdered and six wounded a few weeks ago, the court issued an order for the immediate reopening of the mines and their operation at the old wage scale. "Recommending" that the places of present strikers "be filled and operation resumed," the judge sounded the warning that "any interference with operators would constitute direct interference with this court in the administration of the property."

The attacks from the operators came from other directions as well. In another half-page "advertisement" in the local press, the operators printed a statement of one Mr. J. D. Kirpatrick who "never has been financially interested in the coal business" but was merely "a prominent Birmingham business man, identified with a number of important business concerns in the District." Mr. Kirpatrick continued the open attack against the union leadership, which was begun by the operators recently. Cynically he advised the miners to continue the strike "if they are willing to sacrifice their jobs and their present income." In the same callous vein he told them to go on striking for a uniform national scale if they had no regard for "the effect on the prosperity of Alabama," and if they wished to follow their union's leaders "whose interests lie outside of Alabama," and to whom such "prosperity" was "of secondary importance—if important at all."

The sharpness and extent of the unprincipled attacks against the striking miners and the U. M. W. A. was evident in the declaration of the union in advising the strikers to return to work. The statement declared on behalf of the miners that they "know that the miners were entitled to all they asked for, but the governor had figured the problem out his own way on figures presented to him by the operators, **and our scale committee felt that acceptance of the proposal would preserve the organization.**" (My emphasis.—S. G.)

Union Strengthened

The strength and unity of the strikers was demonstrated in the fact that the operators were unable to reopen a single union mine during the whole eight weeks period. On the very day the new agreement was signed embodying the increases gained by the miners, the operators were issuing statements to "the public" cautioning it to place "no reliance whatever on proposed conferences unless and until the union officials are ready either to accept the old scale as a maximum or else to agree upon the principle of impartial arbitration based on the ability of the industry to pay even the the old scale."

But the historic strike is now over and substantial increases were gained. The miners' union came out much the stronger and with hundreds of former company union men now in its strengthened ranks. Surveying the history of the two months struggle it is clear that the most effective aid the operators had in enabling them to avoid paying the full increases obtained in the Appalachian agreement was the "impartiality" shown by the Governor, Bibb Graves, angling for the labor vote to help his ambition to move from Montgomery to Washington as U. S. Senator from Alabama, has put up a front as "a friend of labor." But it is Graves that presented the "compromise" which the union leaders characterized as being based on "figures presented to him by the operators." The solution for such smooth treachery lies in the abandonment of support of the Democratic Party which has hindered union aggressiveness and development in the South as well as throughout the country. The next and urgent step is the building of a mass Farmer-Labor Party. Chattanooga labor has already pointed the way for Southern workers. Such a party can rally all labor in Alabama and prove a most effective method of strengthening labor in the South in the struggle for better conditions, for the leaving of wage differentials and in stemming the continued efforts of the ruling class in "conspiring to wreck organized labor in Alabama."

Alabama Gets Protest Wires

Groups Assail Vigilante Attack on Inquiry Commission

Protests against the officially incited vigilante attacks on the writers' commission, headed by Jack Conroy, which is investigating gag laws in Alabama and Georgia, were sent to Gov. Bibb Graves of Alabama yesterday by the National Committee for Defense of Political Prisoners, which sponsored the commission, the American Civil Liberties Union, the American Writers League and the International Labor Defense.

The commission, which was forced out of Alabama by vigilantes who fired on their car, and the refusal of Gov. Graves to afford them protection, is now in Nashville, Tenn. It is composed of Jack Conroy, novelist and editor, Moberly, Missouri; Shirley Hopkins of Truro, Mass.; Bruce Crawford of Norton, Va.; Emmett Gowen of LaVergne, Tenn. and Alfred Hirsch of New York secretary of the National Committee.

Protection Demanded

In its wire to Gov. Graves, the American Civil Liberties Union urged the Alabama executive, a former Kligrapp of the Ku Klux Klan, to give "such protection as in your judgment seems wise" to permit the delegation to "complete investigation into admitted restrictions of civil liberties."

Commenting on the Governor's charge that the group had "ulterior motives" for "publicity purposes," the A.C.L.U. wire declared that the members of the delegation "are known to us and their veracity is beyond question." The wire pointed out that proof of the attack on the group should be fairly obvious by the car's condition."

Wires to Graves Urged

The A.C.L.U., the wire said, has no connection with the investigating committee, but acted "only in interests of freedom of inquiry and travel for any citizen."

Wires to the Governor from the National Committee and the I.L.D. demanded recognition of the right of the commission to conduct its investigation of the insurrection laws in the two states and terroristic attacks on Negro and white workers and their organizations.

The National Committee appealed to all organizations and individuals to wire protests to Governor Bibb Graves, at Montgomery, Ala.

Negro Is Arrested Under Downs Law; ILD Leader Freed

(Special to the Daily Worker)

BIRMINGHAM, Ala., Oct. 16.—The infamous Downs Ordinance, forbidding the possession of more than two copies of a piece of "seditious" literature, was invoked again here today. Sol Davis, a Negro worker, was arrested and lodged in the city jail, charged with violating the act.

Meanwhile, a victory was won in the dismissing of charges against Robert Wood, secretary of the International Labor Defense in Birmingham. He had been charged with "changing his name."

A call has been sent out by the I.L.D. for protests against the arrest of Davis. These should be sent to Commissioner W. C. Downs, City Hall.

Alabama

Labor-1935

Unions, Strikes, etc.

FACTS CAUSING GOV. GRAVES TO BREAK THE COAL STRIKE

Wylam, Ala., Nov. 11th, 1935.

Hon. Bibb Graves, Governor,
State of Alabama,
Montgomery, Alabama.

Weekly Review
11-24-35

Dear Sir:

In meeting of Unit No. 4 of the Brotherhood of Captive Mine Workers of Alabama consisting of a majority of the employees of the Tennessee Coal, Iron & Railroad Company at its Wylam Mine, we, the president and secretary, were instructed to write you in protest of the reign of terror being instituted against our members by the United Mine Workers of America, which has been going on for the past six or eight weeks with practically no interference by the duly constituted authorities.

Birmingham Ala.

The distribution of welfare by the Department of Public Welfare at its Ensley office was a farce in so far as any one being able to get same without belonging to the United Mine Workers of America.

We do not lay this to the welfare workers, or to the intention in distributing the welfare, but to the authority taken by supposedly members of the United Mine Workers in intimidating and beating and driving non-members away from the vicinity of the building occupied by the Welfare Department.

The following are some cases of same:

H. C. Williamson, white, a member of our organization went to the Department of Public Welfare on October 11th, 1935, to make application for welfare relief. He was in the building and made application. He sat in the building until noon when he went outside to smoke. When he attempted to return a man, a stranger to him barred the door and demanded that he show his card before being allowed to enter. Williamson, not having a card, was not allowed to re-enter the building and was threatened by a mob of men who were utter strangers to him. He was finally allowed to get his hat from inside but was forced to leave the vicinity at once with the admonition not to return without a card.

On the same date, R. B. Jones, white, a member of our organization, approached the Welfare Department with his brother-in-law, Tom Gibson, also a member of our oragnization. They were stopped about fifty feet from the entrance to the building and asked where they were going and told that they could not enter the Welfare Building without a card. Jones told them that he thought that it was a free country and a man could go where he wished. Upon telling this Jones was struck in the face and across the shoulders and driven off the sidewalk into the gutter. He and Gibson left and reported same, first to City of Birmingham officers and were told that nothing could be done about it unless they could tell them who did it. Jones told them that he was only trying to get protection for anyone who might go there in the future. He then went to the office of the Sheriff of Jefferson County and to the office of the Comissioner of Public Safety for the City of Birmingham and made reports of same. No action was taken.

On October 12th, 1935, M. D. Elam, white, a member of our organization, walked past the Department of Public Welfare and about a block past the same, was got on by a group of unknown men and severely beaten in the intersection of Avenue E and 20th Street, Ensley. We finally broke loose and ran and was chased for more than a city block through the heart of Ensley by these men. Even though previous disturbances in this section had been reported both to the County and City authorities there was no one stationed anywhere around to keep down such occurrences.

On the same date James Davis, colored, a member of our organization, was riding his bicycle along 21st Street in Ensley when he was stopped by a man whose face he knew but could not call his name. He was soon surrounded by a group of unknown men, and questioned as to his having a card with the United Mine Workers of America. Upon his revealing that he did not have a card he was knocked down and severely beaten. This happening at the side of a filling station the filling station operator witnessing same. This filling station operator took his gun and held the man who first struck Davis and he was arrested. We understand that on Monday this man was released without any punishment.

On October 14th, 1935 Emery Perkins, white, a member of our organization, went by the Welfare Department. He was followed up the street away from there. He saw a City of Birmingham Patrol Car and reported to them that those men were following him and that he felt that there would be trouble. He was told that they could do nothing until trouble occurred. The group of men scattered when Perkins was seen talking to the policemen. However, he went on his way home and about a block and a half away was surrounded and beaten by a bunch of unknown men. He held one until a motorcycle policeman came by. He was told that nothing could be done unless he could identify the man who first struck him. This after he had one of his assailants and had identified three others. Perkins then pointed out the first one, who was running away. He was caught and he was the only one taken into custody. We have since heard that this man was released without punishment.

About this time Frank Trombello, Italian, a member of our organization, was followed for about a mile from the Public Welfare Department and set upon by two unknown men. He was knocked from the street into a ditch and so severely beaten that he is still confined to his home after being in hospital for about two weeks. A City of Birmingham Patrol Car passed and caught one of these men on Trombello beating him. We have never gotten any information as to the disposition of this case.

About this same time T. C. Armstrong, white, a washer foreman, who according to the constitution of the United Mine Workers of American is not eligible for membership was caught on the main street of Ensley, 19th Street, between Avenues D and E and pulled three blocks through alleys to within a half a block of the Public Welfare Department. He was held here while one of the four men went to the Public Welfare Department and got the President of the Wylam some [illegible] Local, Lee Howton. Howton was told by these men that [illegible] Armstrong wished to join the local. Armstrong was forced to [illegible] substantiate this and Howton took his name.

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Walter Brock, colored, a member of our organization was [illegible] set upon and beaten within half a block of the heart of Wylam [illegible] by an unknown bunch of men.

On October 26th Hugh Vandergriff, white, was taken from [illegible] a wagon at the point of a pistol between Wylam and Ensley [illegible] and held by two men while the third held a gun on him and [illegible] beat him. There were five men in the car which stopped him [illegible] and all were unknown to Vandergriff.

On November 2nd, 1935 Raymond Reid, white, was chased

There are numerous instances of like occurrences with [illegible] men at other mines which we have not mentioned.

We are calling on you for some kind of protection from [illegible] threats and intimidation which are going on. It has come to [illegible] point where a man who is not a member of the United Mine Workers is afraid to leave his home. They are always

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some several hundred yards by a group of unknown white men. On November 7th, 1935 Thomas M. Adams, white, a carpenter at this mine, was stopped by a group of five men on the Public Highway from Wylam to Miner High School and upon saying that he had no U. M. W. A. card was asked if he would join. He told them that he had not made up his mind. He was told that they would see if five of them could not make up his mind for him. He was severely beaten.

These instances are only in our immediate vicinity and are substantiated by affidavits on file.

There are numerous instances of like occurrences with other mines which we have not mentioned.

We are calling on you for some kind of protection from men at other threats and intimidation which are going on. It has come to the point where a man who is not a member of the United Mine Workers is afraid to leave his home. They are always

expecting some kind of trouble.

We are afraid that unless some steps are taken to relieve this situation that some lawabiding citizen, who desires no trouble, will get into serious trouble in protecting himself from these hoodlums.

We are also afraid that some innocent citizen may be harmed by some one who might be mistaken and think that he is protecting himself from those who would harm him. This is specifically possible since they stop men on public highways and a man cannot be sure who it is stopping him.

Our organization represents the majority of the employees at our works and has no outside influence of any kind, all members and officers being employees of this mine. We have no desire for any trouble of any kind and only wish to be left alone in the pursuit of our employment and the supporting of our families. While the present situation is caused by a minority of our employees we have made no effort to coerce or interfere in any way but to await a peaceful settlement of same.

Awaiting any action that you may be able to take to relieve this situation, we are

Respectfully yours,
W. M. DRUMMOND,
President.
JOHN GOODE,
Secretary.

MINER AGAINST "OPEN SEASON" MURDERING

Editor Weekly Review:

Must a citizen of Alabama pay John L. Lewis and William Mitch for the safety of his own home?

It seems that a man to lay down and sleep at night without fear for the safety of his wife and children must pay tribute to the big shots of the United Mine Workers of America.

It is all right for a band of fifteen or twenty of them to meet another citizen going peacefully about his business on public streets, and beat him almost beyond recognition. It is all right for a rabid murdered to sneak up in the middle of the night and plant a charge of dynamite under the room where sleeps a man with his wife and helpless children. It is all right for a sneaking wolf to hide behind a tree and shoot down a man who wants nothing but to be allowed to work and earn an honest living. But first you must take out hunting license with Mr. John L. Lewis.

Many elegant words have been spoken of a man's right to organize, many heart rending articles have been written on the despotism of the operators and the murderous activities of the Company Deputies, but nothing is said of the man who wishes to exercise his rights of liberty and the pursuit of happiness.

Here is a man who has spent 25 years satisfied in the employ of a man who has been more than an employer. He has been a sympathetic friend of times of adversity. This employee is satisfied with his job, his pay and a feeling of friendliness and understanding exists between him and his employer, but along comes these hunters of John L. Lewis who invade his home and privileges of the public streets and highways. The moment this man makes a move to defend all these things which are loved by, and are the right of every free American citizen, he becomes a murdered and open season is declared upon him.

There are 32,000,000 wage earners in the United States. Less than 4,000,000 of these belong to the American Federation of Labor, yet this small minority enjoys the privilege of forcing their own preferences and radical ideas upon this peace and liberty loving majority.

For what? So that John L. Lewis may live in luxury. So that his family may enjoy a life of abundance far beyond that of any Coal Operator in Alabama. So that the miners wives and children of Alabama may go without shoes and a crust of bread to save the pennies to raise a fund to buy William Mitch a new automobile.

Signed
BY AN ORF MINER

Victory Through Struggle

THE seventeen thousand Alabama coal miners have won considerable gains as the result of their eight weeks' strike. Under the settlement now concluded by the United Mine Workers with the operators, the strikers have won an increase of twenty cents per day, an increase of 4½ cents for tonnage rates, and an increase of 5 per cent for dead work. The union is recognized, with the agreement to run until April 1, 1937.

These gains were made in the face of a bloody terror. The coal operators and the Democratic Party officials sent armed forces against the strikers. Picket lines were shot up by machine guns. In one such assault on the miners' picket lines, Virgil Thomas, a striker, was killed and many wounded by machine gun fire of deputized gunmen.

The winning of better conditions and a union agreement shows that in spite of murderous strikebreaking terror, solidarity and mass struggle will win labor's demands.

Last Of Miners Back At Work After Strike

JASPER, ALA., Dec. 5—(AP)—The last of the Walker County coal mines, where work was suspended last September, resumed operations today with 225 employes of the Franklin Coal Company back at work at the Bankhead mines. More than 4,000 of the county's 4,600 miners are back in the pits now following settlement of the recent coal strike.

Alabama Unionists Meet To Fight Rising Terror

Thousands Fill Auditorium and Line Streets in Meeting Called by 400 Locals to Aid Coal Miners and Combat Reaction

(Special to the Daily Worker)

BIRMINGHAM, Ala., Nov. 20.—Called together by the Alabama State Federation of Labor "to combat the conspiracy of reactionary Tories and industrial fascists," thousands of union men overflowed the Municipal Auditorium here on Sunday in the largest mass meeting ever held in this state. Every seat in the large auditorium was filled. Hundreds were standing. Thousands stood in the streets, listening to the speeches through loud-speakers.

The sixteen central bodies of the state and the four hundred local unions joined the State Federation in initiating the meeting, to meet the growing terror against union men and to support the coal miners.

William Mitch, district president of the United Mine Workers, described the miners' strike settlement. He blamed the lies of the operators and Governor Graves for the fact that it was a compromise.

In its call for the meeting, the State Federation declared in part: "The industrial fascists are planning to turn the fight of the United Mine Workers against their perpetual poverty and human degradation into a general economic class war to destroy every labor union and enslave all of us. We must battle against wage slavery, poverty and persecution. Come to prepare the defense of all Alabama working men and women."

When Mitch called for the building up of the union and denounced the attacks of "the capitalist Tories," the house roared its approval.

Other union speakers joined in militant speeches, which met with loud applause. Observers point out that the usual red-baiting was absent from all the addresses of the union leaders, and that the workers showed that they are determined to build up the union.

"Prepare to win our full demands in the next strike! Prepare now for the next struggle," were the words of District President Mitch, which met the enthusiastic approval of the audience.

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Alabama Steel Workers Join A. F. of L. Despite Terrorism

Secretary of State Federation, However, in 'Worst Speech Heard in Those Parts,' Says Morgan Is Workers' Friend

BIRMINGHAM, Ala., March 27.—At a meeting of 150 steel workers (65 white and 85 Negro) W. H. Crawford, District Organizer of the Amalgamated Association of Iron, Steel and Tin Workers, affiliated to the A. F. of L., exposed the fraudulent character of the recent company union elections held at the Tennessee Coal and Iron Company Mills.

Declaring that company unions are based on "trickery, fraud, intimidation and coercion," he showed that in the hot mill department, where he worked, he had gotten 485 workers to sign a petition giving the A. A. authority to represent them, but a little later, when the company union elections took place, it was announced that 409 favored the company union. Crawford cited cases of workers who demanded that their names be stricken off the voting list and that the company sent cars to bring employes from their homes to vote or be fired.

After exposing the company unions, however, he finished with a flat note, declaring that the only hope for the workers was the Wagner Labor Relations Bill, now pending before the Senate. He apparently failed to realize that bill legalizes company unions.

Crawford was followed by W. O. Hare, secretary of the State Federation of Labor, who, as one worker said, "made the worst speech ever heard in these parts." He declared that the Morgans were "friends of the workers," that it was the petty foremen who were their main enemies; he begged pardon several times for using the words "nigger" and "dago," and told the workers not to expect wage increases for some time to come.

Although the T. C. and I. Co. sent stool-pigeons into the A. A. meetings, and there is continual intimidation against joining the A. F. of L. union, the workers are nevertheless joining it.

Only Union Labor To Be Employed For Slum Clearance Project Here

Only union labor is to be used on the slum-clearance project for negroes on Thurman Street, it was announced yesterday. The decision to employ union men exclusively in the construction of the 17 units to accommodate 154 families was announced by A. C. Samford, superintendent for the T. L. James Construction Company, of Ruston, La., which has the contract. The contractor and not the Government determines the policy as to the employment of union or non-union labor, it was explained.

Superintendent Samford, himself a local citizen, said that only Montgomery men would be given jobs on the houses. He also assured local material industries that they were to be given first consideration in the purchase of materials. In fact, contracts have already been placed for a considerable part of the brick, concrete and other material.

As Contractor James decided to hire only union men, the National Reemployment Service on Montgomery Street is not expected to be called upon to furnish any of its 7,222 persons who are registered there for work. Officials of the agency explained yesterday that when a contractor chooses organized labor for a job, the workmen are furnished by the local union, if there be one in the community. Superintendent Samford, who has been engaged in contracting work here for a great many years, said that a vast majority of those to be employed had worked with him on Government jobs at Maxwell Field. "Although we shall use union men exclusively, both the skilled and unskilled labor will be Montgomery citizens," he said. He also disclosed the contractor was buying most of his materials from Montgomery industries.

It was understood yesterday that persons applying for work on the low-cost rent houses are being advised to join the union if they are not already members. The dues, it is said, are being paid in advance.

Actual work on the units will begin within a week or 10 days, Mr. Samford said. A small force is already on the job erecting offices and doing other preliminary work. Mr. Samford expects the houses to be ready for occupancy in about seven months.

About one-half of the units will be two stories and the other half single stories. They will be of brick and concrete with asphalt flooring.

THE STATE OF ALABAMA is rapidly forging ahead in the race for the most vicious anti-labor and anti-"red" legislation in the union. One of the most dangerous of its reactionary laws is the so-called Downs law, a Birmingham city ordinance passed late in 1934. It provides a fine of $100 and/or six months' imprisonment for anyone who shall print, publish, edit, issue, or knowingly circulate, sell, distribute, or publicly display any book, paper, document, or written or printed matter in any form containing or advocating, advising or teaching the doctrine that organized government should be overthrown by force, violence, or any unlawful means, or shall have in possession more than one copy of any such book, paper, document, or written or printed matter in any form." All convictions under this law have thus far carried the maximum sentence of fine and imprisonment, and the nature of the cases presented indicates clearly that possession of more than one copy of any book or other publication in sympathy with the radical movement is *ipso facto* evidence of guilt. The National Committee for the Defense of Political Prisoners has sent an investigating committee to Birmingham, with the special purposes of examining convictions under the Downs law and of testing it in the higher courts.

HERE COME THE "WRITERS" BANG, BANG—

A group of five persons who are known in some parts as "writers" has decided to come South and investigate "certain convictions in Alabama and Georgia dealing with labor cases." Now we Southerners can talk politics, go fishing and enjoy life knowing that this great quintet of "authors" will solve all our social problems.

But what the Journal can't understand is why they have to make a trip all the way to Alabama and Georgia to become familiar with these "certain conditions." Why, we always thought Eastern "writers" knew everything there is to know concerning us "poor unintelligent' Southerners.

Only a few weeks ago we read in a leading New York newspaper a feature article concerning the efforts of an Eastern Negro to raise funds to retain consul in his defense when he is tried before the Georgia Supreme Court on charges of Communistic activities. At great length the article told of the mistreatment the prisoner had received because he is a Negro, and a Yankee at that! That part of the story was admissible—we will not challange the statement that he was mistreated for we don't know. But when the author took a punch at our mid-section and claimed Southerners are the most unintelligent of any group in the nation, our editorial ire rose to the boiling point.

Now the Journal admits that the intelligence quota of many "rebels" is extremely low. However, that's beside the point. The author of the feature story stated that in his first trial such publications as the New York Times and Saturday Evening Post were introduced as evidence that the Negro was carrying communistic literature. Of course, the newspaper and the magazine cost a dime and a nickel respectively but those of us who can't buy the publications manage to see one once in awhile.

Frankly, we can't see why those "writers" are spending money to come down here and investigate any sort of conditions. It's much cooler writing in New York under a ceiling fan and with a pitcher of ice water by one's side. Those gallant members of the fourth estate already know all there is to know about the "deplorable conditions" prevalent in the South.

The Journal joins with the Montgomery Advertiser in suggesting that the group "spend whatever time they may be able to devote to solving Alabama's problems in the harmless pastime of fishing."

Brotherhood Miners' Money Stays Here

EDGEWATER BROTHERHOOD FACTS

The Brotherhood of Captive Miners are not fighting the U. M. W of A. as a whole but are only trying to gain back what we lost in the first strike of U. M. W. A. near two years ago. My job paid $6.71 before the U. M. W. A. struck and got a contract for union scale that cut my wages to $4.80 for same work. Only the T. C. I. & R. R. Co. voluntarily gave me $6.10, but my wages were supposed to be cut from $6.71 to $4.80, a reduction of $1.91 per day. Now if I took the union scale of $4.80 and get the 50c per day they asked for, it would only be $5.30 per day. So you see if I got all of it I would be still short $1.41 per day, now why object to such cuts. I will admit that some of the miners' wages were helped at other mines in this state, but not at any of the T. C. I. & R. R. Co. All of ours were cut. Now if the men in Walker Co. want the U. M. W. A. scale, let them have it, but not for men of the T. C. I. Coal mines. The Brotherhood don't care how much they have it at other mines, but we don't want it. The coal loader at Edgewater and miners of other mines of T. C. I. had to take the washer loss, which amounted from 10c to 15c per ton and 10c to 15c reduction per ton. In all 20c to 30c per ton. So you se we don't want and won't have any U. M. W. A. at that price at all, and all the money we pay as dues in the Brotherhood stays right here at home for sick benefits for our members.

R. N. Higginbothom,
Edgewater Mines

16,000 at Alabama Rally To Spur Unions in South

Birmingham Meeting Greets Victory of 20,000 Miners—Negro Labor Leader Urges Greater Unity—Open Shop Drive Is Denounced

By STEVE GRAHAM

BIRMINGHAM, Ala., Nov. 25. — Attended by tremendous enthusiasm, more than 16,000 workers filled to overflowing the Municipal Auditorium in Birmingham at a meeting called by organized labor as the first step in taking the offensive against the drive of the ruling class to wreck union organization in the South. Several thousand persons were obliged to remain outside the filled hall during the progress of the meeting and cheered the speeches of labor representatives brought to them by loud speakers.

The meeting was held one day after the 20,000 miners of the United Mine Workers in this district had succeeded in smashing through the campaign of terror unleashed by the coal operators and forced the signing of contracts embodying increases.

An outstanding feature of the huge rally, and symptomatic of the growing unity in the ranks of Southern labor, was the presence on the platform of Walter Jones, district representative of the U.M.W.A. In his speech the Negro labor leader termed the meeting the most remarkable demonstration of union loyalty and solidarity he had ever witnessed and called upon the miners and organized labor in Alabama "to strengthen its ranks and gird itself for future battle."

Dowell Patterson, representative of the Internation Typographical Union, called for "a solid front of all members of organized labor." The pressing need was pointed out for "holding the line against reactionary forces who are making every effort to defeat organized labor in the State."

The intention by some of the union leaders to continue using the treacherous class collaboration policies that have so long hampered the struggles of labor was apparent in some of the speeches. Although William Mitch, U.M.W.A. District president, criticized the terms of the "50-50 compromise" which Governor Bibb Graves presented as the solution for the eight week strike, and declared his belief that the Governor "used operators' figures" in arriving at his "offer" and "could have offered better terms" yet he insisted in his talk that the Klan was "a very good friend of labor."

George Googe, reactionary head of the Alabama Federation of Labor, took the shameful role of apologist for the coal operators, who have caused the murder of two union miners in the recent strike and the wounding of many others, by his statement that he "wished to make it plain" that "not all the Alabama coal operators, but a small minority, were responsible for attempts to wreck the U.M.W.A. and through them the organized labor structure in Alabama and the South."

In the same vein a union representative struck out against the threat to organized labor by "capitalistic Tories" but failed to make it clear that the other flank of the ruling class was also in a common and bitter front against militant unionization.

Alabama

Labor—1935

Unions, Strikes etc,

FIVE WRITERS VISIT US

"Once more Alabama has confirmed the widespread impression that she is unable to govern herself peacefully."

That is one of the charges hurled by the group of five writers who came to this State on a mission that was heralded as an "investigation of the status of civil liberties." There were other charges, too, which were delivered in a parting volley from Nashville.

Among them were:

"It is impossible to investigate the abuse of civil liberties in Alabama, because civil liberties do not exist there.'

"Denied protection by the governor we had to leave our car in Alabama and take buses, taxis and trains to arrive here."

"We probably will go to New York to report this lawlessness in Alabama to our committee headquarters."

Although missions of this character are not unique in Alabama's history, thoughtful citizens after reading the most recent charges and contemplating the events which led up to them, will ask a number of questions.

The first is: Is Alabama less able to govern herself, or does she govern less wisely, than, say, Ohio, Georgia or Oregon?

A calm and impartial viewpoint will not only convince one that Alabama is on a par with the average, but that in many respects she is better. Alabama has not been the scene of any widespread disorder in these troublesome times. Alabama is not bothered by a large criminal element. Alabama has not yet resorted to an anti-sedition bill or a teacher's oath bill—although the enlightened State of Maryland has the latter on its statute books, and Michigan and Georgia among others are said to have the former.

Alabama has never gone into the business of divorce as have some States. Alabama has never had the political corruption and scandals with which the average State is plagued. Alabama's lynching slate for 1935 is clean, and her record over a period of years is below the Southern average.

As for champions of civil liberties in Alabama, it is not necessary to go outside of the State's boundaries to find one. The entire force of the responsible newspapers in this State was thrown against the enactment of an anti-sedition bill. No cause could have had greater support had it bought every newspaper in the State.

But according to the supposedly impartial investigators, there is a "widespread impression that she (Alabama) is unable to govern herself peacefully." Who created this "widespread impression?" Our theory is that it was created by investigators, each in turn arriving within our bounds under that impresion, and each making it a point to unearth added proof of the theory. In that charge we have an admission on the part of the latest crop of investigators. They were under that impression before they arrived and we believe that, failing to find the evidence they sought, they created the evidence themslves.

The second question: If the group was genuinely interested in the cause of civil liberties, have they furthered the cause?

In this connection it might be well to review the history of their trip. Preceding their arrival, various newspapers received information mailed from the National Committee for the Defense of Political Prisoners which they represented.

Included in the advance information was at least one misstatement of fact. It was to the effect that on the day the anti-sedition bill passed the House an altercation occurred in the corridor in which "a legislator drew a gun on a newspaperman." There was no basis for such a statement. No gun was drawn. A knife was, but in connection with the Jefferson County civil service bill, and the incident had nothing to do with the anti-sedition law.

From that time, The Advertiser for one, had a premonition that something unpleasant was going to happen. The cammittee had amply proved that it was building up bug-a-boos and was hoping to knock them down.

The group arrived in Birmingham and its first act was to distribute copies of The Daily Worker, an avowed Communist paper, with announced intention of being arrested. But no arrests were forthcoming. The police did oblige by taking two of the investigators in to interview the chief of police. (Later, after arriving at Nashville, a Mr. Hirsch, one of the group, charged that he had been hit over the head by a policeman. It will be remembered that he made no such charge in Birmingham; that he was able to rise bright and early and begin the celebrated trip to Montgomery; that he exhibited no signs of being injured.)

The next time the party was heard from it was in Clanton. From there they called Governor Graves and frantically informed him that they had been fired upon. All of the available law enforcement agencies in the vicinity were called in immediately.

But the stories of the various members differed. None of them could give a description of the color, license number, occupants, model, of the "murder" car, where it came from or where it went. One of the group did know that the pistol used was a .45 calibre revolver, which anyone will admit is a rather strange circumstance. He did not, however, take note of the make of the pistol, and its caliber and type was the only information upon which the officers had to work.

Later the various members of the group charged that their failure to agree on the circumstances was due to the "smooth" manners of the circuit solicitor, Winston Huddleston.

During their stay in Alabama, the investigators, so far as they made known, did not question a single reputable inhabitant of Alabama. Certainly among our 2,500,000 people there is at least one qualified to shed some light on conditions.

In view of these facts it must be said that the investigators were not sincere in their motives. If they were, however, they failed to aid their cause. In fact, they injured the "champions of liberty" in Alabama.

The third question: If the group was not sincere in its motives, then why should it perpetrate a deliberate hoax?

A hint is found in the advance publicity sent out by their headquarters. In the first place, no mission of their type should have been widely heralded and announced with fanfare and publicity. Real investigations do not utilize such methods. Further, included in a biographical sketch of one of the group, Alfred Hirsch, is the information that he "was arrested and sentenced to 30 days for picketing." That claim to fame strikes one as being a peculiar boast for a "writer."

Perhaps, Mr. Hirsch hoped to add new laurels to his brow by being sentenced to jail again—or maybe add a crown by becoming an almost-martyr to the cause—if someone took a shot at him. That Mr. Hirsch must have had some such fervent hope is not to be denied; that he decided to furnish his own bullet scare is our confirmed belief.

The final question: What possible means can Alabama use to offset the reflections and implications that result from occurrences of this type?

We can rant and curse among ourselves at the rank unfairness of "investigations" which do not include the asking of a single question of reputable witnesses. We can shout to the high heavens, but our shouts will go no further than our own ears.

The National Committee for the Defense of Political Prisoners may be sincere in the purpose for which it was founded. But its membership, which is composed of some literary figures of the top rank, will have no alternative except to take the word of its missionaries.

Typical of the result is the attitude of Arthur Garfield Hays, one of the ranking lawyers of the United States, who is counsel for the American Civil Liberties Union. Although the union was not officially connected with the investigating group, Hays signed a telegram to Governor Graves which ended as follows:

"Members of this group are known to us and their veracity is beyond question. If bullets hit the car as charged, proof should be fairly obvious by car's condition."

Which means that in Mr. Hays's mind, there is no individual, nor collection of individuals in the whole State of Alabama capable of refuting the statements made by this visiting delegation. Further it means that regardless of how the holes got in the car, or who put them there, the whole of Alabama is under indictment for the "crime."

Most of us have known individuals who, when a scolding finger is pointed at them, cry out: "Quit beating and cursing me!" That is the typical reaction of outside "investigators" who come to Alabama.

But if you try to make an individual of that type shut up, he will only scream louder. It is a problem that we will be forced to face until such time as it shall become popular for every one to look after his own business—which, from present prospects, is a long way off.

Copies Of City Anarchy Ordinance Distributed Among Police Officers

Since their recent experience with alleged Communist organizers who were prevented from holding a meeting at Exchange Park at the foot of Commerce Street, Montgomery police have been furnished copies of an ordinance adopted by the City Commission in May 1933, dealing with criminal anarchy and fixing punishment for violators of the regulation.

Col. W. P. Screws, police commissioner, in calling attention of his officers to the provisions of the ordinance, also served notice that Montgomery's doors were closed to Communist organizers, or any others seeking to destroy the American government.

The ordinance, which has been read and re-read by the police since the Monday night demonstration, defines criminal anarchy, or to assemble for such purpose. It also makes it unlawful to permit the use of any premises for such purposes.

Criminal anarchy is defined in the ordinance as meaning to include any doctrines or teachings which advocate the overflow of all organized government national, State and local; the unlawful damage, injury or the destruction of property, sabotage, and the duty, necessity or propriety of the unlawful assaulting or killing of any officer of the government.

Section 2 of the ordinance says:

"Any person, who shall within the corporate limits of the City of Montgomery, or its police jurisdiction; (a) by word or mouth, sign, advise, advocate or teach criminal anarchy; or (b) Write, publish, edit or cause to be written, published or edited, circulated, distributed, printed or displayed; or (c) who shall organize or help to organize, or who shall become affiliated with any organization, association or group that advises, advocates or teaches criminal anarchy as defined in Section 1 of this ordance, shall be guilty of an offense against the City of Montgomery and upon conviction in any case, shall be punished as provided in Section 5."

Section 3 makes it unlawful for "two or more persons to assemble or gather within the corporate limits of the city, or its ponce jurisdiction, for the purpose of advising, advocating or teaching criminal anarchy; and every person voluntarily participating in such an assembly or gathering, by his or her presence, aid, or instigation, shall be guilty of an offense against the City of Montgomery."

Section 4 dealing with meeting places of violators of the ordinance reads: "Any owner, agent, superintendent, janitor, caretaker or occupant of, or any person that may be in charge of any premises, place, building or room, who shall willfully and knowingly permit such premises, place, building or room to be occupied or used by any person or person or persons, or any organization, association, society or group, or any assembly or gathering, for the purpose of advising, advocating or teaching criminal anarchy, as defined in Section 1 of this ordinance, shall be guilty of an offense against the City of Montgomery."

Upon conviction, the minimum fine is $1 and the maximum $100, with a hard labor sentence of six months provided at the discretion of the City Recorder.

The alleged Communist organizers were told to leave Montgomery in haste or go to jail. Reports yesterday were that there would be no more warnings issued and if the police caught others here, they would make arrests immediately.

Approximately 200 persons are reported to have gathered for the meeting at Exchange Park, but the police arrived before it was started. Most of those on the grounds are said to have been negroes.

Anti-Sedition Act Repealer Is Signed

The so-called anti-sedition law, Alabama's shortest-lived statute, was relegated to oblivion yesterday afternoon after an existence of only a little over a week, when Governor Graves signed the bill by Senator Riddle, repealing it.

The repealing measure passed both Houses of the Legislature in one record time of five days, and the chief executive affixed his signature to it within the record time of 20 minutes after it reached his office.

Passed prior to the legislative recess, the anti-sedition bill which was actively sponsored by the Alabama Department of the American Legion, and militantly opposed by the State press and organized labor, was vetoed by the Governor after the lawmakers reconvened.

It developed, however, that through an oversight, the measure had automatically become a law by operation of statutory provision as to the time limit fixed for gubernatorial action, before the veto was written.

No time was lost, however, in the introduction in both the House and Senate of repealing bills. The Senate bill was the first to pass both houses, and was promptly enrolled and sent to the Governor.

Negro Sent To Chain Gang On Gag Law

BIRMINGHAM, Ala., Sept. 4.—Ed Sears, Negro miner, was sentenced to ten months on the chain gang in Bessemer today under the Bessemer seditious literature ordinance.

Sears was taken off a street car and jailed without being permitted to get in touch with the International Labor Defense attorney. The "seditious" literature that Sears had was a pamphlet on the Scottsboro Boys, "Act Three," by Sasha Small.

The I. L. D. is attempting to raise bail for Sears before the five-day appeal time elapses.

The trials of R. F. Hall and Robert Wood, held under the Downs "literature" law, was postponed for two weeks again today. This move is regarded here as a maneuver to frame the two defendants.

Nora Eliot, who was also held under the Downs law because she had a Bible and a copy of Shakespeare, was released after mass protests flooded authorities here.

Negro Communist Leader Held Here

Inquiry last night disclosed the name of Albert Jackson, negro, 39, on the Montgomery County jail register, charged with vagrancy.

Albert Jackson is also the name given as the secretary of the Alabama Sharecropper's Union, a communist organization, whose address, as citizens throughout middle and south Alabama have come to know, is P. O. Box 322.

Jackson has not been tried. Records at the jail show that his trial was originally set for Sept. 6 in the Court of Common Pleas. Apparently the trial has been postponed from time to time since his arrest. His bond is set at $300.

Attaches of the Court of Common Pleas last night could not recall the case in the absence of a record.

The negro has a police record here which shows several arrests for bootlegging. He is known among police as a "hip pocket" bootlegger, with only a smattering of learning.

That Jackson was not the author of the numerous incendiary bits of mimeographed propaganda which called upon sharecroppers and renters to "put their feet" on landowners to strike, to refuse to pay their debts, to organize and to "demand," was clearly evident to officers.

Gets Chain Gang For Reading Book

BIRMINGHAM, Ala., Sept. 13—Ten months on the chain gang for possession of the pamphlet "Scottsboro: Act III," was the sentence handed down last week to Ed Sears, Race miner of Bessemer, a small suburb of Birmingham. The sentence, which was the result of a swift and ruthless railroading by the police and the court, was pronounced under the so-called "seditious literature" ordinance.

Sears, a union man, was taken off a trolley car and jailed. He was held incommunicado.

Nora Elliot, arrested here a month ago, along with Robert F. Hall and Robert Wood, under the Downs ordinance, was released last week. When arrested, she had in her possession only a copy of the Bible and some of Shakespeare's plays. The trials of Hall and Wood are still pending.

MONTGOMERY, ALA.
JOURNAL & TIMES
SEP 14 1935

Deputies Assert Negro Isn't 'Red'

Albert Jackson, Montgomery negro, held in the county jail, is not a "negro communist leader," as reported, but a well known character to Montgomery officers, deputy sheriffs said Saturday.

Attaches at the sheriff's office denied reports that the negro was held on charges growing out of a communistic sharecropper and renters organization.

"We have known this negro for years," a deputy said, "He is a well known bootlegger and is being held on a vagrancy charge.

"To brand this poor innocent negro as a 'communistic leader' is unfair to him for if he was released from jail today he might be killed by some enraged citizen who believed the story," the deputy continued.

"The 'Albert Jackson' who rented a post office box here and sent out literature urging sharecroppers and renters to strike was a white man and, of course, we are looking for him," it was stated.

The negro will be tried as soon as evidence is gathered to present to court.

Waterfront Picket Killed At Mobile

MOBILE, ALA., Oct. 30.—(AP)—A negro identified as Ernest Dukes, negro picket in the International Longshoremen's strike, was shot and killed tonight in a clash with Ed Deford, city scout officer, who was shot three times and critically wounded.

Police said Dukes shot first at Deford, and the policeman, although badly wounded, returned the fire, killing the negro.

Deford was accompanied by Scout Officer Edward Qualls in a patrol of the waterfront area tonight when the shooting occurred.

LAKE CHARLES, LA., Oct. 30.—(AP)—With the threat of a nationwide boycott on ships loaded at Gulf ports where the International Longshoremen Association members are striking for recognition, the port of Lake Charles remained closed today under gubernatorial orders.

The closing order for Lake Charles is to expire at 8 a.m. Monday, but Sheriff Henry Reid said today he held hopes that the strike would be settled by that time.

There were no disturbances reported during the day from either the east Gulf or the Texas ports. In many of them independent labor was carrying on port activities.

Labor-1935

Alabama

Unions, Strikes, etc.

Alabama Reaction

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The fact that this is a "crime" shows how far this country has already moved on the road to fascist reaction and terrorism.

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Now more than ever must workers of every political belief and affiliation unite to defend all elementary civil rights against the advance of fascism.

Birmingham, Ala., News
January 22, 1935

WARNS AGAINST REDS

Editor Of Weekly Review Addresses Negroes In Ensley

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Anti-Communist Measure Passed

Alabama House Approves Street Sedition Bill

MONTGOMERY, Ala., Feb. 6. (AP) The Alabama house of representatives today passed the Street sedition bill "aimed to wipe Communism out of Alabama," by a vote of 71 to 24 after exempting newspapers and magaines that are permitted to be sent through the U. S. mails.

The measure caused a bitter fight on the house floor with an opposition move led by Taylor of Mobile on the grounds that "the bill will muzzle the press, and end freedom of speech in Alabama."

Meanwhile, the presiding officers of both houses signed the 11 New Deal bills sent here from Washington with the announced intention of paying the way for Alabama to obtain an $88,000,000 share of the $4,880,000,000 work relief bill now before the senate in Washington.

The measures were sent down to Governor Bibb Graves, ardent New Dealer, but a recess was asked by graces until Friday in order that possible executive amendments could be offered to the bills before the ligislature adjourns Friday before the Feb. 26 prohibition referendum.

A Vicious Measure

Sponsors and supporters of the Street anti-Communist bill now pending in the Legislature evidently have been seeing ghosts. Their hysterical fear of forces lurking behind dark corners and plotting overthrow of the government certainly does not justify adoption of such drastic measures.

"Any writing, publication, printing, cut, cartoon, utterance or conduct designed to encourage outbreaks against any branch of the government," the proposed law reads, shall be punishable by a year in prison or a fine of $1000.

Under such an act there could be no freedom of speech or free press. Possibilities for abuse by unscrupulous interests and by minions of the law dominated by such interests are unlimited.

A minister preaching in the pulpit of his church would not be beyond the reach of such a gag.

The organization of trade and labor unions to bargain collectively for the good of their members easily might be curbed. Certainly the right of peaceful picketing would be taken from them for all time.

A newspaper, finding corruption in local government, might be fined and its staff imprisoned for daring to raise its voice in protest.

Communism does not threaten the safety of society in Alabama and the threat of Communism is not the motive which prompts the strongest support which has rallied behind the Street bill in Montgomery.

Such legislation is directly opposed to principles of democracy. Its effect would undermine the foundation on which our Government was built and has existed for more than a century and a half. It is not needed. It should be defeated if the people of Alabama are to continue to enjoy even a small measure of freedom of thought and action.

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(Special to the Daily Worker)

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An amendment somewhat modifying the drastic provisions of the bill was passed, stating that "this act shall not apply to any writing, publication or cartoon appearing in any newspaper or publication permitted to be carried in the U. S. mails."

The amendment thus exempts the Daily Worker and other revolutionary publications, particularly threatened by Alabama fascist circles which sponsored the bill. With the exception of this amendment, the bill stands as before, banning "any publication, writing, cut, cartoon, utterance or conduct which is organized, encouraged or aided by societies and groups advocating outbreaks against any branch of Government."

The fascist nature of the bill is clearly exposed in an editorial entitled "A Vicious Bill," in the Birmingham Post, which admits:

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A vigorous mass campaign against the bill is under way locally in the trade unions and among the unorganized masses. This campaign, the International Labor Defense points out, must be developed into a united front fight within the next six weeks before the Alabama Senate re-convenes to take action on the bill. The I. L. D. is calling for national support of this campaign.

IS AN ANTI-SEDITION BILL EITHER WISE OR NECESSARY?

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Section 1. Be it enacted by the Legislature of the State of Alabama, and it is hereby enacted by authority of the same, that the word "sedition," as used in this Act, shall mean:

Any writing, publication, printing, cut, cartoon, utterance, or conduct, either individually or in connection or combination with any other person or persons, the intent of which is:

(a) To make or cause to be made any outbreak or demonstration of violence against this State or against the United States.

(b) To encourage any person or persons to take any measures or engage in and conduct with a view of overthrowing or destroying or attempting to overthrow or destroy, by any force or show or threat of force, the Government of this State or of the United States.

(c) To incite or encourage any person or persons to commit any overt act with a view to bringing the Government of this State or of the United States into hatred or contempt.

(d) To incite any person or persons to do or attempt to do personal injury or harm to any officer of this State or of the United States, or to damage or destroy any public property or the property of any public official because of his official position.

It shall also include:

(e) The actual damage to, or destruction of, any public property, or the property of any public official, perpetrated because the owner or occupant is in official position.

(f) Any writing, publication, printing, cut, cartoon, or utterance which advocates or teaches the duty, necessity, or propriety of engaging in crime, violence, or any form of terrorism, as a means of accomplishing political reform or change in government.

(g) The sale, gift or distribution of any prints, publications, books, papers, documents, or written matter in any form, which advocates, furthers, or teaches sedition as hereinabove defined.

(h) Organizing or helping to organize or becoming a member of an assembly, society, or group, where any of the policies or purposes thereof are seditious as hereinabove defined.

(i) The display of a red flag in any public assembly, parade or demonstration in this State.

Section 2. Sedition, as defined in Section One of this Act, shall be a felony, and any person convicted thereof shall be sentenced not less than five nor more than twenty years, and if death shall result from any unlawful act herein forbidden, the penalty shall be death. However, upon the recommendation of the jury any violation of this act not resulting in death or permanent injury may be treated as a misdemeanor and punished as for a misdemeanor.

Section 3. Be it further enacted that all laws and parts of laws in conflict with this Act, be, and the same are hereby repealed.

But it occurs to The Advertiser that the Legislature would be wise to go slowly about this business of disposing of communism with a stroke of the pen.

The plain fact is that communism is not really a serious issue in American life. It is a bugbear. Communism in America is almost totally without intelligent backing—no great idea lacks intelligent backing. We are not thinking, of course, of philosophic communism, we are thinking of the run-of-mine active alcommunist who respects neither intelligence nor conscience. The intelligent, philosophic communist, is in a separate

This is the anti-communist bill. Because it is anti-communist virtually alcoholic Alabamians will readily sympathize with it.

Labor-1935

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Section 1. Be it enacted by the Legislature of the State of Alabama, and it is hereby enacted by authority of the same, that the word "sedition," as used in this Act, shall mean:

Any writing, publication, printing, cut, cartoon, utterance, or conduct, either individually or in connection or combination with any other person or persons, the intent of which is:

(a) To make or cause to be made any outbreak or demonstration of violence against this State or against the United States.

(b) To encourage any person or persons to take any measures or engage in and conduct with a view of overthrowing or destroying or attempting to overthrow or destroy, by any force or show or threat of force, the Government of this State or of the United States.

(c) To incite or encourage any person or persons to commit any overt act with a view to bringing the Government of this State or of the United States into hatred or contempt.

(d) To incite any person or persons to do or attempt to do personal injury or harm to any officer of this State or of the United States, or to damage or destroy any public property or the property of any public official because of his official position.

It shall also include:

(e) The actual damage to, or destruction of, any public property, or the property of any public official, perpetrated because the owner or occupant is in official position.

(f) Any writing, publication, printing, cut, cartoon, or utterance which advocates or teaches the duty, necessity, or propriety of engaging in crime, violence, or any form of terrorism, as a means of accomplishing political reform or change in government.

(g) The sale, gift or distribution of any prints, publications, books, papers, documents, or written matter in any form, which advocates, furthers, or teaches sedition as hereinabove defined.

(h) Organizing or helping to organize or becoming a member of an assembly, society, or group, where any of the policies or purposes thereof are seditious as hereinabove defined.

(i) The display of a red flag in any public assembly, parade or demonstration in this State.

Section 2. Sedition, as defined in Section One of this Act, shall be a felony, and any person convicted thereof shall be sentenced not less than five nor more than twenty years, and if death shall result from any unlawful act herein forbidden, the penalty shall be death. However, upon the recommendation of the jury any violation of this act not resulting in death or permanent injury may be treated as a misdemeanor and punished as for a misdemeanor.

Section 3. Be it further enacted that all laws and parts of laws in conflict with this Act, be, and the same are hereby repealed.

This is the anti-communist bill. Because it is anti-communist virtually all Alabamians will readily sympathize with it. But it occurs to The Advertiser that the Legislature would be wise to go slowly about this business of disposing of communism with a stroke of the pen.

The plain fact is that communism is not really a serious issue in American life. It is a bugbear. Communism in America is almost totally without intelligent backing—no great idea lacks intelligent backing. We are not thinking, of course, of philosophic communism, we are thinking of the run-of-mine active communist who respects neither intelligence nor conscience. The intelligent, philosophic communist, is in a separate

category. His reliance is upon an appeal to reason. The average communist has no respect for reason nor for any comrade who does respect it..

The average communist agitator, as we see him in the alleys and swamps, is a lout, as low in character as any other outlaw who stands ready to seize by force what does not properly belong to him. He has no character which decent people can respect, and there is no reason to beg that question.

But these objections to the patriotic bill offered in the Alabama Legislature, occur to The Advertiser:

In the first place, treason is now a crime, punishable by appropriate penalties.

In the second place, disturbance of the common peace is now a crime, punishable by appropriate penalties.

In the third place, violence against person and property is now a crime, punishable by appropriate penalties.

These statements being true, what is the necessity for a special act?

It is plain that the purpose is to put down by force of law the expression of an idea, as well as to protect the physical person and the physical property of our citizens.

The average communist thrives on the experiences which could come to him under such a law. He aspires to the dignity of martyrdom. He likes to make issues over constitutional rights of free speech principles for which no communist has any respect, of course, least of all in Russia, where all ideas are born pure.

Would we not make the way easier for communist agitators by resorting to special legislation against them? Would we not give them an issue which they do not now enjoy?

Finally, and more importantly, are we not about to raise one more barrier to freedom of the human spirit which we might easily avoid with dignity? Alabama should never outlaw ideas, nor the discussion and promotion of ideas.

Is it not possible that a law of this kind, in the hands of arrogant officials, might lead to intolerable abuses in a free country?

Admittedly the anti-sedition law reads well. It is appealing. There is much of reason and justice in it—except that in the light of laws hitherto enacted it is not necessary to meet any evil presumably contemplated.

Only necessary legislation should be enacted. At all times it is the duty of legislators to think of freedom of the human mind and the human personality. Particularly is this necessary at such a time as this when government is smothering our people with bounties. The more that government gives the more certain free citizens should take care to be that government does not reserve the right to forbid free protest against usurpation.

If a law is unnecessary, and possibly dangerous, why pass it?

LET LIBERTARIANS BEWARE!

The Legislature of Alabama is thinking of making it unlawful to sell a certified copy of the Ordinance of Secession as adopted by the Alabama convention in 1861.

The Legislature is thinking of ways and means of putting members of the UDC of Alabama in the hoosegow, and of making it a felony to sell a copy of Raphael Semmes's "Service Afloat."

Not satisfied with this, the Legislature of Alabama is thinking of ways and means of putting members of the DAR in the county caliboose.

The Legislature threatens to outlaw the sale of copies of Thomas Jefferson's best essay, known as the Declaration of Independence; and would confiscate, if not burn, the chapter in one of his books containing his flippant remark to the general effect that a little revolution now and then is to be desired.

The orations of Alabama's heroic leaders in the pre-war days and the post-war reconstruction days, if found upon the person of a bob-haired flapper would lead to the arrest, conviction and jailing, as well as the fining, of the girl whose very birth was declared a blessed event.

The mildest revolutionist in the land whose very utterance would be of public interest, might speak in Court Square, but The Advertiser's reporters would hesitate to quote his remarks for publication. That would not only break the heart of the revolutionist, but it would end in the incarceration of the editors of The Advertiser.

They would print the story or bust. It would be unfair and unjust to them to jail them for thus discharging their honest professional obligations.

Associated Press dispatches not infrequently report incendiary utterances by prophets and other blatherskites. Alabama newspapers would have to consult Alabama law rather than their own judgment as news purveyors before printing the same. Manifestly that would be intolerable.

The anti-sedition law, now about to be passed by the Legislature of Alabama—in addition to being wholly unnecessary as pointed out by The Advertiser yesterday—would give governmental agencies the power to terrorize a free press and to terrorize and intimidate all freemen who dared to mount a convenient rostrum in Alabama and denounce a government which at last had become intolerable to decent men.

Liberty at last must be defended by editors! Let every editor in Alabama worthy his salt and his county printing bestir himself at this hour and denounce this preposterous, if well-intended, bill before it is too late!

Under the laws as they now stand any crime suggested in the anti-sedition bill, can be reached and prosecuted, except one—the crime of free utterance cannot yet be reached and punished. This bill would give government the power to close its steel trap upon the leg of every strident hell-raiser that outrageous government might possibly excite to action.

Americans have hitherto reserved the right to rebel, to load their flintlocks and march, if need be.

Let the grandsons of Confederate veterans be the last to make it a crime for Alabamians to roar for decency and common justice!

Let us make one more stand for liberty!

THE ENGLISH ARE OLD, BUT NOT AFRAID

The anti-sedition bill has been devitalized by amendments which exempt newspapers and other publications that can get through the United States mails from its provisions, and we hear it will now pass.

The Advertiser is glad that it is now left free to quote ad libitum from the Declaration of Independence and from the private correspondence of George Washington, a well known Virginian of the 18th century. We like his letters, in spite of the big words in them.

But The Advertiser regrets that the bill is not to be killed outright. A bill that is unnecessary in fact ought not to be enacted in any circumstance. A bill which turns the law against the free expression of the human spirit is a weed in American political soil.

We in this country, with the proudest tradition of liberty known to any land, yet grow nervous in the face of revolutionary threats.

The next freest country is Great Britain. Over there officials are more tolerant than ours are. They let ranters and revolutionists have their say.

They believe that talk is an antidote to the poison of revolt. So far their doctrine has been successful, even though economic and social conditions have at times been worse in Great Britain than they are in this country today.

Recently The Reader's Digest, an American publication of note, contained this story. It seems to The Advertiser that the tale is a rebuke to every member of the Alabama Legislature who advocates the enactment of a special anti-sedition, otherwise a fraidy-cat, law:

So reads the yarn from The Reader's Digest:

> A chap who spent part of the Summer in London tells us about standing in Hyde Park one day, listening to a Communist orator, who'd drawn quite a crowd about him. His speech was pretty fiery, and ended with a fairly radical proposal—that his audience should advance with him and burn down Buckingham Palace, then and there.
>
> At this point a bobby, who had been standing impassively nearby, seemed to feel that matters had gone about as far as they should, and he interrupted, addressing the crowd in a commanding voice.
>
> "Them as is going to burn Buckingham Palace," he ordered, "three paces to the left! Them as is not going to burn Buckingham Palace, three paces to the right!"
>
> At this the crowd shufflingly dispersed, to the right. Our man says he told several Englishmen of this occurrence and not one of them smiled—just looked at him with expressionless faces, as if to ask what else the bobby could have done.

The English are older and wiser than we, yet not less devoted to the principles of freedom.

Alabama

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Unions, Strikes, etc.

Grand Jury Alarmed By Communistic Operations In Montgomery County

Activities of communist agents in stirring up dissatisfaction and defiance of law among the negroes of Montgomery County were given a stinging rebuke yesterday by the Grand Jury in a report to Judge Eugene W. Carter, of Circuit Court. The Grand Jury recommended to the Legislature of Alabama the passage of suitable laws enabling authorities "to cope with this situation."

The sheriff's department has been active against these agitators, said to be working in some of the rural communities of the county in recent weeks. Much literature is reported to have been distributed among the sharecroppers and wage hands. In a few instances farm hands are said to have been enticed into leaving their jobs after the agitators told them to stop work if the farmers would not pay them $1 a day and their board.

"Conclusive evidence has been presented us showing the activities of communist agents in stirring up dissatisfaction and defiance of law amongst the negroes of the county," the Grand Jury report read. "We urge that the State Legislature pass suitable laws enabling the authorities to cope with this situation."

Traffic conditions, crimes of violence among negroes and the paroling of prisoners known to be repeaters in crime, were especial matters the Grand Jury called to the attention of the Court.

"Of these," said the report, "the most serious is that pertaining to traffic violations on the streets of the city and the highways of the county. The number of deaths and injuries resulting from these violations is appalling and we most earnestly urge that consideration of lawmakers, enforcement officers, and especially the public, be given this situation. With the steadily increasing use of automobiles, we have seemed to accept the fatalities resulting as necessary evils. We believe the time has come for a different attitude. The public should be thoroughly informed as to traffic laws and sufficient traffic officers provided to see that such laws are enforced. If our present laws are inadequate, new laws should be passed immediately, providing fines of such a nature as may be inflicted and collected. Where injuries result from violations, punishment commensurate with such injuries should be inflicted," the Grand Jury said in reference to tightening up on the traffic regulations.

The report asked that special attention be given the following abuses: Incompetent and reckless driving, excessive speeding, driving while intoxicated, improper and insufficient lights, lack of proper brakes, and parking on highways, especially without lights.

"We are insistent in bringing this to the attention of officials and the public, as we are convinced that with the right law, adequate enforcement machinery, and through the efforts of all of us, this needless loss of life can be stopped."

Deploring the growing number of crimes among the negroes, the Grand Jury commended the sheriff and police departments for their diligence in trying to keep down such offenses.

"We call Your Honor's attention to the fact that many of the cases which have been brought before us involve paroled prisoners, and recommend greater care on the part of the pardoning power in this regard," the report added.

The Grand Jury docketed 148 cases, examined 353 witnesses, and returned 122 true bills.

The report commended the work of Lieut. W. S. Powell, fingerprint expert of the police department. Solicitor W. T. Seibels and Bailiff Sim Butler also received approbation of the Grand Jury.

LAUNDRY UNION VOTES STRIKE

City-Wide Walkout Date To Be Set Sunday; Peace Hinges On Contract

3-29-35

Date for a city-wide laundry strike will be decided at meetings of the workers Sunday, union leaders said today following an overwhelming vote in favor of a walkout.

The strike, it was learned, is due to be called early next week unless contracts are signed in the interim.

The strike vote, taken last night at a mass meeting of the three laundry workers' locals, climaxed several days of unsuccessful negotiations for new wage contracts providing a three per cent pay increase. The old contracts expired March 15.

Huey King, president of the white inside workers' local, saw little hope that a strike will be averted.

"The only thing that will prevent a strike," he said, "will be for the laundry owners to sign contracts. One or two have indicated they may sign, but the others have refused flatly.

Twelve laundries and about 1500 workers would be affected by a walkout. Only one laundry, the Snowhite, has signed a contract with the union, Mr. King said.

Provision will be made at Sunday's meetings, he said, to take care of hospital laundry and other emergencies.

The meetings will be as follows: White inside workers at 3 p.m. in the courthouse; drivers at 3 p.m. at Ben Hur Hall, and Negro workers at 2:30 p.m. at 1622 1-2 Second-av. n.

MISGUIDED PATRIOTISM

"It is liberty to know, to utter and to argue freely according to conscience," is the quotation from John Milton with which The Anniston Star opens a discussion of the anti-sedition bill now before the Alabama Legislature.

In suming up the right of freedom of press and speech, The Star points out that the struggle dates back to the Stuart kings of England in the seventeenth century. Since that time these principles have been threatened, but never for any long period have they been denied.

Both freedom of press and speech are threatened in the anti-sedition bill now pending in the legislature. The most unusual factor in connection with the proposed legislation is that among its proponents are individuals and organizations supposedly acting from patriotic motives. Yet these same individuals are endeavoring to loosen one of the very foundation stones of American principles, and in its stead place a product of the philosophy they seek to destroy, Communism.

To substitute for freedom of press and speech a law curbing press and speech is to advocate one of the first tenets of communism. Communism and other radical doctrines thrive on censorship, but Democracy perishes.

When every newspaper in Alabama worthy of the paper on which it is printed began to fight the anti-sedition bill, it was amended to exempt all matter admitted to the United States mails, thus automatically excluding newspapers. But these provisions had no effect on the attitude of the newspapers to the bill. Since that time the bill has been re-written and will again bring newspapers under the regulations.

The advocates of the bill have brought to Montgomery terrifying tales that there are 3,000 Communists in Alabama. Three thousand! There are in Alabama today approximately 2,500,000 people. Are we to write into our statute books laws to protect us from this supposedly dreadful scourge of radical thought? To do so is to break faith with all we hold dear in our philosophy of government.

The Star comments, "We have law enough now to protect our institutions and do not need any more." Our laws make ample provisions for punishing those who incite to riot. By law we protect property and human life. That is all we need.

"Tyranny is tyranny whether by monarchy or majority," wrote General Hugh S. Johnson recently. When a majority in a democracy adopts tyranny as a method, it ceases to be a democracy.

The Star concludes:

"Education, the pitiless light of publicity, is the best cure for Communism in Alabama, and not force or suppressive measures that may in time be invoked against the very people who now are their sponsors.

"The Star has no sympathy with Communism or the senseless palavering of radicals. We detest what they say but we fear more the misguided men who would undertake by law to prevent them from saving it. . . ."

If the members of the Legislature are sincere in their belief that democracy offers man more hope than Communism, then they will refuse to adopt the anti-sedition law. England's Hyde Park and all the lessons of history shout that it should not pass.

The fatheads who arrested John Strachey, the British writer, thought they were smart, but nobody else with any judgment thinks so. Scandals like this are reasons why The Advertiser distrusts anti-sedition bills of the sort that is pending in the Legislature of Alabama at his time.

LAUNDRY STRIKE THREATENS CITY

Workers Vote To Walk Out Unless Wage Contract Is Signed Soon

Threat of another city-wide laundry strike grew today after members of the white employes' union voted overwhelmingly in favor of a walkout unless wage contracts which expired yesterday are renewed by employers "within reasonable time."

Huey King, president of the white workers' local, said the strike vote, taken last night, is contingent upon concurrence by the laundry drivers' local and the Negro local. Both locals are expected to conduct strike polls next week, he said.

Mr. King also announced that one laundry, the Snow White, has renewed its contract with the union, and included a "closed shop" agreement and a wage increase averaging three per cent. Negotiations are under way at two or three other laundries, he said.

Meantime, negotiations for renewal of contracts at the dry cleaning plants, which also expired yesterday, remained unsettled. Progress was reported by both sides. It was believed the union and the dry cleaners would reach an agreement at a conference scheduled for tomorrow.

MINERS IN ALABAMA DEMAND STRUGGLE DESPITE OFFICIALS

Coal Operators Appeal To Roosevelt For Intervention — Mitch Attempts To Sidetrack Men Into Backing Guffey Bill

BIRMINGHAM, Ala., June 14.—Alabama coal operators have appealed to President Roosevelt to intervene in the strike situation and prevent 20,000 Alabama union miners from going out on strike next Monday. The appeal was made by the operators after the union rejected the offer to renew for another year present wage contracts which expire Sunday night.

The operators have indicated that they do not consider that the Appalachian mine situation should have any bearing on the local situation, despite the fact that the wage scale in this district is even less than in the Appalachian territory. There the day wage-scale is $5. Here it is $3.80. The local miners are asking for a fifty-cent increase a day and a thirty-hour week. The present work week at the mines here is thirty-five hours.

Rank and File Pressure

Pressure of rank and file opinion has caused Bill Mitch, local leader of the U. M. W. A., to pretend disagreement with the coal operators, though the local press has already given Mitch away by reporting that "spokesmen for both sides expressed hope that a strike can be averted."

The rank and file in Birmingham is not to be fooled so easily this time, however. Most of the union locals are well aware of the class collaboration between the union leadership and the coal operators themselves. In one union local last week, a member rose to explain to his fellows that "we must go out prepared to stay out until we win—and not only till Mitch and the others decide to sell us out."

Mitch Backs Guffey Bill

In replying for the union, Bill Mitch voices the hope of the industrialists themselves and the other misleaders, when he says that the U. M. W. A. favors the Guffey coal stabilization bill. But the workers themselves, the rank and file miners, have already indicated that they do not favor the Guffey bill. Nearly all of the union locals here have recognized the strike-breaking nature of this bill and the fact that its only benefit will be to the operators and not to the miners.

In his statement to the coal operators, Mitch closes with the paragraph, "The status here at this time is such that should not lead to ultimatums on either side because we feel that something will be worked out on this problem in the near future. . . ."

Thus he evades the real question—the fact that hundreds of Alabama mine workers are in a desperate condition, that they are no longer the docile, passive workers of another day, placidly submitting to the hunger program arranged for them by the bosses and union misleaders. These are fighting miners, out to win bread for themselves and their families, ready to fight hand in hand, black alongside white, to the very end. It is they who will put over the strike in Alabama, while Mitch drinks tea with the coal operators and plans a sell-out.

THE STRACHEY SCANDAL

It is depressing to read of the arrest of John Strachey, "alien Communist." His arrest is a reflection upon the American people and their government. It is humiliating and outrageous. It is senseless and inconsistent.

In the first place, while Mr. Strachey is a philosophic Communist, he is not an irresponsible, immoral trouble-maker. He is one of the foremost English thinkers and writers of his day. He comes of an old and distinguished English family. He is a former member of the British Parliament. He is a philosopher, not a rioter; he is no reckless preacher of violent revolution.

Mr. Strachey lectured in Montgomery last year before a conservative audience. In that lecture he aroused no fears, no hostility, he said nothing bitter or cheap; he did not call for violent action. He made an agreeable impression upon his hearers, few of whom, however, agreed with him. To those who came to know him personally he was most attractive and engaging. He is a rare, gracious, fine person, as harmless as a dove.

Mr. Strachey has made frequent visits to the United States in recent years. He comes here to lecture and to consult his publishers; he comes to the States on legitimate business. He does not go about haranguing mobs, inciting them to violent action against their government. On the contrary he lectures before intelligent, responsible people and gives them an exercise in reason.

The man does not live on earth who has the moral right to deny a fellow human being that privilege!

Particularly is it humiliating to realize that in this country where free speech is ordinarily accepted without question, a man of the scope and significance of John Strachey should be arrested and charged with revolutionary intent, and threatened with deportation.

Why has not Strachey been arrested on previous visits?

Why has not Prof. Einstein, now a resident of this country, been arrested and threatened with deportation? He is an alien and a Communist.

If Strachey deserves arrest and deportation, why do we permit Communists to run for President, United States Senator, and Governor in the United States? Why do we not make it unlawful for any American citizen to advocate any form of government except the one created in the constitutional convention of 1789?

Mr. Strachey is fresh from a land where his doctrines are not accepted. The English are not Communists. But it is not against the law to be a Communist in England. It is not against the law to write and speak for Communism.

Mr. Strachey would expect to be arrested in Mussolini's Fascist Italy or in Mr. Hitler's Fascist Germany; if he were an anti-Communist lecturer in his beloved Russia he would expect to be arrested. But he had little reason to anticipate that he would be arrested in this capitalistic republic where freedom of speech is one of the pillars of our social and political structure.

It is the duty of Americans, most of whom do not believe in Communism, to love and exalt the principle of intellectual freedom, even though Communists, once in power, do not respect it.

Tarrant, Ala., [illegible]
June 11, 1935

The Anti-Sedition Bill

The house of representatives should not lose any time in concurring in the American Legion's substitute for the Street anti-sedition bill. The bill as now drafted affects no one who does not advocate the overthrow of the government by force. It applies to that class and that class only.

A lot of prejudice has been engendered against the measure by unfounded claims that in some mysterious way it might affect the freedom of the press or free speech. A claim of that kind cannot be sustained by anything in the bill.

This measure has no more affect on free press or free speech than the statutes against using profane language in the presence of a lady or the law against criminal libel.

The communistic press would herald it to the world that it had friends and supporters in the Alabama legislature, if, for any reason, the measure was sidetracked. Of course, we would know that any opposition to the bill would not be founded on friendliness for communism, but the outside world would not, and particularly that part of it that is reached by the communistic press.

It would be easy for communistic agitators to make ignorant negroes believe that the Alabama legislature was actually in sympathy with the communistic program, if the measure is longer delayed.

The measure can do no harm to any law abiding citizen. Neither will it interfere with the rights of any newspaper or any other organization. until they get to the point of advocating the overthrow of the government by force. Then it's time to start working on them.

A certain guide as to the merits of the measure is the fact that the Hanson papers oppose it.

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SIMPSON FIGHTS 'ANTI-RED' BILL

MONTGOMERY, Ala.—(AP)—Senator James Simpson, of Jefferson said Thursday he would oppose the Street anti-Communist bill in the upper House, but did not plan to lead a fight against it.

"I expect to vote against the bill," said Simpson, "and if the vote appears close I may speak in favor of killing it. It appears too broad to me and could be easily abused by officers of the law."

The bill, commonly referred to as the "sedition act," passed the House Wednesday, 71 to 24, and came to the Senate where it was referred to the revision of laws committee. It cannot come up for a final vote until after the prohibition referendum recess.

Its author and sponsors admitted the bill was "aimed to destroy Communism in Alabama," but it was opposed by a group led by Representative Taylor, of Mobile, which claimed it was too broad and tended to "muzzle the press."

Senator Simpson said he had found several other senators who opposed the bill, but did not wish to quote them.

Still A Threat

The sedition bill passed by the Alabama House and now pending in the Senate can and should be defeated.

It is ill advised.

It is unnecessay because laws already on the state's statute books offer adequate protection.

It is dangerous because it makes possible further encroachment upon a citizen's right of free speech and peaceful assembly.

Fortunately the measure will not find the going so easy in the Senate. With Jefferson's senator, James A. Simpson, holding the line we are assured of that.

The role which Senator Simpson is preparing to assume is not a new one to him. Once before as a member of the lower house he was an effective champion of a similar cause. He should have the support of every Alabamian who values those fundamentals of freedom given in the Bill of Rights.

KILL THE ANTI-SEDITION BILL!

A vicious man in power, under the Steel bill to put down "sedition," otherwise Communism, could harass if not humiliate every newspaper editor and every public speaker in Alabama.

As matters stand we have sufficient law to protect life and property against violence. All know that.

If Alabama had a Huey Long in power no legitimate agency of criticism would feel itself safe from persecution under the anti-sedition bill.

Do not amend the anti-sedition bill, kill it outright! It can serve no good purpose, but it can bring injury and shame to countless worthy Alabamians!

The Advertiser, as a conservative newspaper, and one that despises Communism and all its works, pleads with the Legislature not to make the blunder of passing this bill! Wherever similar measures have been adopted in the States there have been abuses in enforcement. There would be similar abuses in Alabama.

Take no chances. Be brave, be fair to our inherited traditions—kill the bill outright.

Anti-Sedition Bills And American Fascism

The principles at stake in the so-called "anti-sedition" bills cannot be ignored, even though one may have a certain amount of sympathy for the problems of those who believe that Communism in the South might have the effect of harming their business enterprises. We need imagination and foresight in this matter! We cannot well afford to sacrifice the future for the sake of what appears to some persons to be expedient. Should the anti-sedition bill ever become the law of the land in Alabama, the very people who are now so strongly urging its passage might find themselves, at a later time, prevented by its provisions from criticising other legislative designs which they might consider inimical to their interests.

Everything hinges upon the definition given to the word *sedition*. Just at this moment, as everyone understands, the expression is meant to cover the activities of the Communists in Alabama. But it is well known that Communists are not permanent settlers as a rule in the United States. They are constantly shifting from one locality to another. They always have a tendency to concentrate their endeavors for short periods in regions which offer them the kind of resistance which they need in order to thrive. Certain events in Alabama within the past few years have combined to bring these unwelcome visitors into our state. That they are the kind of people who make themselves disagreeable is easy to understand in view of the fact that it is their mission to foment class consciousness and social upheaval.

But why should Alabama deliberately play into the hands of the Communist agitators by passing the kind of law which would give them a perfect excuse to make capital of their claims of discrimination and persecution? That is exactly what they want. These so-called anti-sedition regulations would make a great hit at radical meetings all over the world. They would enable the radicals to use a powerful new talking point in their campaigns to raise funds for what they confidently term "the coming revolution." Instead of removing the interests of the Communists from Alabama, the passage of such laws would be likely to make this state far more prominent than ever in the propaganda methods, as well as in the actual activities, of these unpleasant gentry.

In his *Age-Herald* column last Friday, John Temple Graves did well to call attention to the fact that this proposed bill—although it might not prove effective in a combat against the Communists — would constitute a hazardous move along the path of Fascism, which is the real danger in the United States as a whole, and especially in the South. It is time to call a halt when any group of people become too much determined to force their own convictions upon everyone else. That is true of economic, religious and political convictions.

We all understand well enough what is implied in the word *sedition* as it is just now being employed with reference to the bill under consideration at Montgomery. But who can be sure that in the future the word might not be so interpreted as to include the activities of any individual or group engaged in opposing the program of the coterie which happens to be in power? That is the real issue.

THE FOLLY OF THE ANTI-SEDITION BILL

Editor The Advertiser:

I would like to add a word of encouragement to your fight against the anti-Communist bill now before the Legislature. No matter what may be one's viewpoint, laws aimed at crushing out Communism are certain to lead to trouble. Such laws are both ineffectual and dangerous.

In the first place, Communism would be benefited by such laws. Communists thrive on persecution, and an attempt to enforce such a law as the one before the Legislature would produce a brand new crop of martyrs for Alabama. The martyrs would attract sympathizers, and Communism would have gained a point. The law is also dangerous in that it weakens one of the most fundamental precepts upon which the American society is built. Freedom to criticize government and suggest change by speech and writing is essential to the maintenance of a democracy. When citizens are deprived of this right, democratic government is decaying rapidly. Those who would outlaw the free dissemination of any political doctrine are in fact renouncing democratic government.

Injection of the word sedition adds nothing. There can be no sedition in a Democracy except in time of war. In a Democracy there is nothing sacred about government. Rules and bodies of government exist at the pleasure of the people; they exist only to serve the people, and that only so long as the people want to be served by them. Even the great United States constitution has been changed 21 times and re-interpreted many more.

A great lesson taught by history for ages is being overlooked. History shows us example after example of attempts to crush out an idea by force or the strength of law; in every case that idea has risen and spread until it finally engulfed the force that sought to destroy it.

Communism is an idea, and ideas are fluid. No matter how much we may fear it, any attempt to destroy it by force is like trying to clear a flooded street with a steam roller. The results will be the same.

Auburn, Ala. JOSEPH E. ROOP.

Senator Simpson Plans Fight On 'Anti-Reds' Bill

Birmingham Legislator, Counted By Sponsors Of Measure As Among Supporters, Springs Surprise With Stand In Opposition

By Hubert Baughn
Post Staff Correspondent

MONTGOMERY, Feb. 7.—Storm signals were hoisted in the Senate today for the Street anti-sedition bill, passed by the House late yesterday, 71 to 24, after a furious debate which kept a packed gallery in an uproar for most of an hour.

As the upper house gave the bill a first reading and referred it to the judiciary committee for consideration at the split session Sen. James A. Simpson, chairman of the committee, announced he would fight it "to the finish."

"This bill," the Jefferson County senator declared, "is wrong in principle and seeks to commit the state to a mistaken policy. I believe there is a good chance that the Senate will kill it."

Senator Simpson's statement was a blow to advocates of the measure, as they had counted him as a supporter and planned to ask him to lead the fight for passage in the upper chamber.

The bill's sponsors, mainly coal operators of the Birmingham district, encountered more trouble when American Legion opposition developed.

Raps Legion Leader

J. E. McCurdy, commander of the Flomaton Legion ost, of which Corp. Sidney Manning, Alabama's outstanding World War hero, is a member, opened heavy fire on the bill and declared William S. Pritchard, state commander, "did not speak for the rank and file of Alabama Legionnaires when he issued a statement urging its passage."

"As a Legionnaire," Mr. McCurdy continued, "I am sworn to uphold the constitution of the United States. This bill strikes down the constitutional guarantee of freedom of speech. Its passage would increase Communistic activity in Alabama and make martyrs of the very people the bill proposes to regulate."

The measure came back before the House on a motion by Rep. W. C. Taylor of Mobile to reconsider the 44 to 18 vote by which it was passed last Saturday. The Mobilian urging that action be deferred until after the recess, charged that coal operators in the mining district wanted to use the bill as a club over their employes.

Eliminates Newspapers

The House reconsidered the bill and laid it open for further discussion after former Speaker Alt Tunstall of Hale urged this action, explaining he wanted to offer an amendment.

Taking charge of the fight for the measure, Representative Tunstall put through an amendment providing that none of its provisions should apply to newspapers permitted to be carried in the mails.

Rep. Clint Harrison of Marengo asked if the effect of the amendment would not be to "permit newspapers to say things which would be prohibited from saying on street corners or anywhere else." Representative Tunstall replied affirmtaively.

Representative Taylor, assailing the bill as unconstitutional, then moved its indefinite postponement. He engaged in a heated exchange with Representative Tunstall, who shouted that the Mobile legislator was "trying to thwart the will of this House and the will of the people of Alabama."

Reads I. L. D. Telegram

The Taylor motion was voted down, 66 to 30, and then the crafty former speaker played his trump card. He sent to the clerk's desk and had read a telegram from the Birmingham office of the International Labor Defense, denouncing the bill as "an un-American H lerite measure sponsored by big business and designed to deepen Fascism in the South."

Reading of the telegram, which was signed by Robert ood, secretary of I. L. D. District No. 17, was greeted by boos, and members throughout the chamber shouted: "Let's vote."

Representative McDermott of Mobile, who voted for the bill last Saturday, told the House his study during the week-end convinced him it was "clearly unconstitutional."

Representative Coleman of Marshall declared he could not support a bill "which gives newspapers privileges which are denied to citizens of Alabama."

'Stand Up, Boys'

Representative [illegible] fired a volley of questions at Representative Tunstall, but the latter replied angrily: "I do not care to answer any questions propounded to me about this bill by the gentleman from Mobile."

Mr. Tunstall then called for the previous question and shouted to the bill's supporters: "Stand up, boys." The previous question was ordered and the measure passed as its advocates cheered.

The bill defines as sedition "any writing, publication, printing, cut, cartoon, utterance or conduct, either individually or in connection or combination with any other person or persons, the intent of which is to make or cause to be made any outbreak of violence against the state or any political subdivision thereof or against the United States."

Organizing or aiding in organization of "any assembly or society or group" for seditious purposes as defined in the act is prohibited. Violations are made punishable by 12 months at hard labor or a fine of $1000, or both.

Labor Fought Bill

Representatives of a number of labor organizations vigorously opposed the bill. They announced their fight would be continued in the Senate at the second legislative session.

Governor Graves, advised of the measure's turbulent passage through the House, declined to comment, other than to say he would make a study of its provisions if it reached his desk for approval or veto.

On the crucial roll call, which came on the Taylor motion to postpone consideration until the split session, the House lined up as follows:

To table (30)—Walker, Buffington, Byars, Calhoun, Carter, Castleberry, Coleman, Doster, Glover, Goolsby, Harrison, Hill, Lee of Bullock, Lee of Monroe, Miles, McDermott, McPhaul, Norman of Lowndes, Owen of Etowah, Parish of Pike, Posey of Winston, Propst, Sewest, Shipman, Sparks of Walker, Staples, Taylor, Tolbert, Waldrep and Williams.

Against tabling (66)—Adams, Almon, Arnold, Austin, Bateman, Blann, Braswell, Bridges, Britton, Chichester, Connor, Cook, Cox, Denson, Dominick, Douglass, Goodwyn, Haley, Hall, Hamner, Hanks, Hare, Heflin, Hendley, Henson, Hodges, Hollingsworth, Hollis, Johnston, Jones, Kelly, Langdon, Livingston, Long, Lusk, Matthews, Miller, Moore, McGowin, O'Neal, Owens of Madison, Parish of Henry, Petrey, Poole, Posey of Walker, Quarles, Reeder, Reed, Reynolds, Robinson, Lowndes, Sanford, Shaver, Sightler, Sparks of Barbour, Spence, Steel, Street, Tidmore, Todd, Tompkins, Toomer, Tunstall, Wallace, Welch, Whighman and Wright.

Thwarting Radicals

In its anxiety to do everything it can to thwart radical agitators, the Birmingham Police Department is making the mistake a several points of playing into their hands.

Because the agitators make it a point to magnify every error the Police Department makes, officials of the department appear loath to correct mistakes for fear the agitators will claim credit for forcing reform.

A few weeks ago, two officers made an unauthorized raid on the home of a Negro of good reputation, living near Lewisburg and Chief Hollums very properly suspended them indefinitely.

But when Communist agitators rushed into print to claim they had forced this action, Chief Hollums hastened to reinstate the men, although no valid evidence had been presented to change the situation.

The chief of police, moreover, has made it clear that one of the reasons he is slow to punish a recent case of police brutality is because he is sensitive to the fact that the Communists would become jubilant and claim the credit.

This, in our opinion, is a puerile attitude.

Right is right, and officials should do their duty regardless of what any person or group of persons will say.

The men who get out the Communist dodgers are not stupid. They figure out in advance what effect their writings will have on the Police Department.

They do not want to see officers punished for unauthorized raids on homes or for third degree floggings, and they seem to have hit on a method to keep it from being done. Simply by feigning elation over any corrective action, they drive the police in the opposite direction.

The best way in which Commissioner Downs and Chief Hollums can fight the Communists is by protecting every citizen, white or Negro, in every constitutional right which his Government guarantees him.

That will cut the ground from under the agitators and will displease them more than anything else the police can do.

Aid the 'Southern Worker'

THE Birmingham Age-Herald, unofficial mouthpiece of the steel and other industrial interests, comments upon the new Sedition Bill now before the Alabama Senate: "It could readily be used to Hitlerize the State. . . . But there were some way in which to dispose of them [the Communists] without encroaching upon the freedom of the main body of men and women, the problem would be solved. They suggest that until such a time, present methods be continued—implying the extra-legal activities of K.K.K. and company deputy gangs.

At the same time the drive against the Communist Party and the militant unions, increases in force and viciousness. Every effort is being made to find the printing plant of the Southern Worker, and to stop its distribution. Terrorists, hired by the big steel companies, realize the danger to them of this most vital organ of the white and Negro southern toilers.

The Southern Worker, published in underground conditions, is the bond which is welding solidly the unity in struggle of the southern workers. Facing the spearhead of the New Deal drive toward fascism, these toilers need this bond and guide in their daily fight. If the mass protest of workers and sympathizers everywhere, and our support materially, can aid this struggle we cannot afford for a moment to hesitate or withhold that aid.

LAUNDRY WORKERS ASK PICKET LIMITS

Strikers Talk To Police About Activities

4-4-35

Laundry union officials today planned to ask Police Chief Luther Hollums to what extent striking workers might carry on "peaceful picketing" of laundries which have refused to sign new contracts providing for a three per cent wage increase.

Union spokesmen said the Morton Home Washing Service Laundry has signed the wage contract. The Ideal and Snowhite Laundries had previously signed the union contract.

Police were called to the Peerless Laundry this morning to disperse striking workers armed with clubs and lead pipes. Meanwhile, Peter A. Carmichael, Federal conciliator, opened another round of conferences with plant operators and the union in an effort to adjust their differences.

Labor-1935

Unions, Strikes, etc.

American Civil Liberties Union.

LIBERTIES UNION PROPOSES 8 LAWS

Administration Support of Program Asked in Note to President.

WASHINGTON, Dec. 31. — (AP)— The American Civil Liberties Union forwarded to President Roosevelt today an outline of eight legislative proposals for which it asked administration support.

Describing them as dealing with "the fundamentals of liberty on which democratic processes rest," the organization's memorandum offered the cooperation of all the groups interested in the proposals in framing necessary legislation.

The recommendations were:

"1. To clear up present confusion over labor's rights by outlawing company-controlled unions; by requiring employers to enter into contractural relations with unions representing a majority of the employes; and by lodging final power of decision in the national labor relations board.

"2. To bring agricultural workers, now without protection, under the provisions for collective bargaining like other wage-workers.

Asks Investigation.

"3. To urge an investigation by a committee of the senate of the so-called vigilantes and other lawless elements which have attacked strikers, raided their quarters, destroyed their property, without rebuke or proceedings against them by local or federal officials.

"4. To mend our present restrictive immigration laws to admit to the United States political and religious refugees from foreign tyrannies.

"5. We urge upon you the principle of providing equal facilities on all radio stations for the advocates and opponents of any public issue in precisely the same way as candidates for public office are now permitted to have equal access to these facilities.

Extension Asked.

"6. Three years ago congress changed the system under which matter imported from abroad is controlled. In place of censorship by custom officials, decisions are now made by judges and juries in the federal courts. The system has worked admirably. We urge that it be extended to the postoffice department, since juries are a fairer means for determining the public attitude on "obscenity" or "sedition" than a single solicitor of the department.

"7. We urge that the administration back a bill to permit federal prosecution of lynchers where state officials fail to act.

"8. We urge the replacement of navy rule by civilian administrations in all American colonies, with forms of civil government. Similarly we urge the appointment of natives as governors in order to minimize the effects of unsympathetic rule by aliens."

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American Federation of Labor.

Unions, Strikes, etc.

AMERICAN FEDERATION OF LABOR SEEN AS "PULLING PUNCHES" ON RACE ISSUE

Reactionary Element in Body Urges Feeble Plan of Getting Locals to Erase Color Line; Brophy Quits

(Special to Crusader News Agency)

Washington, D. C.—The work of the American Federation of Labor committee on the Negro problem has been hamstrung and its recommendations pigeon-holed, charged John Brophy, the committee's secretary, in handing in his resignation to William Green, president of the federation.

The bogus manner in which the executive council, controlled by reactionary craft union elements handled the issue of jim-crowism motivated Mr. Brophy's action.

"The maneuvering on the part of the executive council plainly indicated that you wanted the 'Committee of Five to Investigate Conditions of the Colored Workers' to be merely a face-saving device, Brophy stated in his letter of resignation.

Supplemental Report

The committee of five was appointed by Mr. Green at the San Francisco convention and was to report to the 1935 convention. Green and the executive council, Brophy declared, "denied us to so report to the fifty-fifth annual convention held recently in Atlantic City."

Even our formal recommendations were suppressed in the supplemental report of the executive council on this subject."

The Atlantic City convention would have adjourned without hearing even the supplemental report had it not been for the strenuous objection of A. Phillip Randolph, national president of the Brotherhood of Sleeping Car Porters. The report proposed in vague general terms a campaign of education among white workers and omitted the recommendations of the committee on the Negro problem.

In a fiery speech on the last day of the convention, Randolph read the suppressed recommendations (1) all unions barring or discriminating against them in any way, shall take the question of race discrimination at their next conventions, so as to remedy these discriminatory practices, (2) charters issued by the A. F. of L shall be in conformity with the provision of the A. F. of L. constitution against race discrimination, (3) the A. F. of L. to conduct a campaign of education against race discrimination.

Characterizing the executive council's proposals as "quite inadequate" and "dignified, diplomatic sabotoge," Randolph moved the adoption of the three recommentions by the convention. The motion was defeated.

No Hearings

The committee on the Negro problem had also requested the executive council that it be allowed to follow up the Washington, D. C., hearings of last year on evilence of discrimination against Negroes in A. F. of L. union by conducting further hearings. A resolution embodying this proposal was among the unfinished business turned over to the executive council at the close of the convention.

Unfortunately, the bureaucratic council castrated the resolution by striking out the part calling for such meetings. This act made the resolution meaningless, Brophy declared.

Rank-and-file A. F. of L. members have strongly condemned the betrayal of the executive council's pledge to eliminate discrimination against Negroes in the trade unions

Says Negro Can Have No Grievance Against A. F. of L. Policy

Davis, Executive Secretary of Joint Committee Said Negro and Labor Sold

NO PREJUDICE SAYS GREEN

Problem Must be Worked Out Through Sympathetic Cooperation, Plea

In a letter to John P. Davis, executive secretary of the Joint Committee on National Recovery, William Green, president of the American Federations of Labor, declared that neither Davis nor any other representative of the Negro race can have any grievance aginst the American Federation of Labor.

The Green letter was a reply to a scorching letter written to him by Davis in which Davis called on the Federation president to give indications that the executive council of the A. F. of L. had not "sold out the Negro and the American Labor Movement.

Davis' letter was provoked by the failure of the executive council to act concretely on the report of a committee of five appointed by Green to investigate the conditions among Negro workers.

Any grievance which the Negroes have against the Federation of Labor must of necessity be directed against a verp limited number of organizations affiliated with it, Green wrote.

"The problem which relates to the organization of Negro workers and their affiliation with the American Federation of Labor is one which must be worked out through sympathetic cooperation on the part of those who are sympathetic and friendly. This can only be done by dealing with the subject in an enlightened practical and constructive way," Green wrote.

It is the purpose of the American Federation of Labor to do all that lies within its power to solve this problem of race and color discrimination to which you referred in your communication, he added.

Green repeatedly declared that the policy of his organization was one favorable to Negroes. Declarations of this policy, he maintained, are found in the proceedings of the various conventions of the A. F. of L.

"Most of the national and international unions affiliated with the American Federation of Labor have accepted these declarations made at conventions of the American Federation of Labor. They admit colored workers to membership in these international unions without question. There are some organizations in a small minority of those affiliated with the American Federation of Labor who still set up standards of admission to membership which operate to the disadvantage of both colored and other workers.

"The American Federation of Labor has declared that where national unions refuse within their fields of jurisdiction to admit colored workers into union directly charted by the American Federation of Labor. they are violating the order of the organization. The American Federation of Labor itself cannot dictate to international unions regarding the exercise of autonomous authority, the jurisdiction assigned them, nor can the American Federation of Labor prescribe the constitution or laws which said international unions must apply. They can urge and recommend that national unions do certain things, but they cannot force them to do so," Green said in his letter.

Referring to Davis' reference to the recommendations of the committee of five appointed by Green to investigate charges of discrimination, Green said that the report of the committee was made to the executive council and that the evecutive council, on the basis of the report, made certain recommendations which were adopted by the Federation.

"It is the purpose of the American Federation of Labor to carry on a campaign of education so that ultimately any discrimination practiced against the admission of Negro workers into membership of the American Federation if Labor will be finally removed," Green wrote.

Gagging of Negro Report Charged to AFL Council

Brophy, in Resigning as Secretary of Committee on the Negro Problem, Cites Sabotage by the Federation's Leadership

WASHINGTON, D. C., Nov. 12.—John Brophy, secretary of the A. F. of L. Committee on the Negro Problem, has handed in his resignation from the committee, charging that the committee's work has been sabotaged and its reports suppressed. Brophy's resignation is directed against the manner in which the A. F. of L. Executive Council, controlled by the reactionary craft union forces, has handled the recommendations of the committee. Brophy sent in his resignation to William Green, president of the Federation. Brophy charged the Council with using the committee as a "face-saving" device.

The Committee of Five was set up by Green upon decision of the A. F. of L. convention in San Francisco last year. The Committee thoroughly investigated and made three principal recommendations for elimination of discrimination against Negroes in the unions.

According to the decisions of the A. F. of L. convention a year ago, the committee was to report to the convention recently held in Atlantic City. Brophy now charges that Green and the Executive Council "denied us the right to so report to the 55th convention held recently in Atlantic City. Even our formal recommendations to the convention were suppressed in the supplemental report of the Executive Council on this subject."

Even the report would not have been read had not A. Phillip Randolph objected to final adjournment of the convention, until the report was heard. Randolph, in a blistering speech on the last day of the convention, read the suppressed recommendations of the committee of which Brophy was secretary.

Recommendations Listed

These three recommendations, suppressed by the Executive Council, but read to the convention by Randolph, were: (1) all unions barring Negroes, or discriminating against them in any way, shall take up the question of race discrimination at their next conventions, so as to remedy these discriminatory practices, (2) charters issued by the A. F. of L. shall be in conformity with the provision of the A. F. of L. constitution against race discrimination, (3) the A. F. of L. to conduct a campaign of education against race discrimination.

The Executive Council did not propose to the Atlantic City convention the adoption of the recommendations of the committee. Randolph, however, moved that these three recommendations be adopted by the convention. His motion was defeated.

Brands Proposals Inadequate

Randolph characterized the futile and general proposals of the Executive Council as "quite inadequate. It does not meet the issue in any respect and has not followed the procedure laid down by the San Francisco convention. . . . This report of the Executive Council I regard as merely a dignified, diplomatic sabotage."

It is significant in view of Brophy's resignation from the committee on the Negro problem, that Randolph, in an interview with the Daily Worker, published yesterday declared that his union, the Brotherhood of Sleeping Car Porters, is taking into all A. F. of L. unions the fight against race discrimination.

The A.F.L. and the Negro

THAT WAS A TIMELY and pertinent letter that T. Arnold Hill, acting secretary of the National Urban League, wrote to William Green, president of the American Federation of Labor, which is holding its annual convention at Atlantic City this week. As far back as the campaigns of Woodrow Wilson the Federation was chiding the Negro for not supporting it politically. But the Federation has done nothing to win Negro support; it has allowed the color line to continue in its trade unions. Why, without any definite move on its part, should the Negro support it in the mere hope that it will remove its color bar?

Mr. Hill said: "Until the American Federation of Labor officially outlaws jim-crow the organized labor movement can never begin truly to function as an instrument providing economic security for America's working masses. . . . Labor's friends realize that organized labor faces a death struggle within the near future, and that to survive it must enlist more successfully than it has done in the past the loyal support of the millions of organizable workers, white and black, who are not now members of the American Federation of Labor or any other independent labor group. . . . In the interest of all labor we urge the American Federation of Labor to make such a pronouncement and follow it up with ceaseless work among its component unions to dispel the ignorant prejudice which now separates workers of different races."

It is high time that Mr. Green's organization became a federation of all labor, not merely of white labor. It cannot expect anything from the Negro while it shuts him off from its unions. If the Negro is to cast his lot with labor, let labor cast its lot with the Negro.

Labor—1935

Unions, Strikes, etc.

American Federation of Labor.

Negroes Urged to Join With A.F.L. Progressives

By Cyril Briggs

Support by Negro workers of industrial unionism against craft unionism and of the rank and file movement and other progressive trends in the American Federation of Labor against the "entrenched Old Guard leaders," denounced as the bulwark of jim-crowism in the labor movement, was advocated by several leaders of the National Urban League at its annual conference, which closed Wednesday evening at the Russell Sage Foundation Building, 130 East 22nd Street, New York City.

The conference was dominated by a militant and progressive note throughout its sessions, which opened last Tuesday morning. Leaders of the organization's activities in all parts of the country put themselves squarely on record, with few exceptions, in favor of labor's right to collective bargaining, genuine social insurance, organization of Negro youth and for a sharper struggle by the League against jim-crowism on Federal projects and in unemployment relief, and for a permanent Federal relief bureau.

A. F. of L. Old Guard Denounced

T. Arnold Hill, Director of the Department of Industrial Relations of the National Urban League, in a paper read before the conference on "Which Way After 1935?" indicated a growing consciousness on the part of the leaders of the organization for closer co-operation with the labor movement and a more militant program in the fight against jim-crow oppression. He advocated a Federation of organizations working in the interests of the Negro people, and close contact with all progressive groups.

Lester R. Granger, director of the Negro Workers' Councils of the National Urban League, speaking on recent developments in the labor movement, charged the Old Guard leaders of the A. F. of L. with sidetracking and evading resolutions and demands for the abolition, in all A. F. of L. unions and affiliates, of jim-crow barriers against Negro workers.

Reporting on interviews by representatives of the League with A. F. of L. officials during the recent Atlantic City convention, Mr. Granger told the conference that in each case those A. F. of L. leaders who displayed open hosility or evasiveness on the demands for full equality in the labor movement, regardless of race and color of workers, were defenders of outworn craft unionism. On the other hand those A. F. of L. leaders who supported these demands were, he said, in every case advocates of the industrial union principle.

Pointing out that large sections of A. F. of L. workers are sharply opposed to jim-crowism and all practices which serve to lessen the effectiveness of the labor movement, Mr. Granger declared that the issue "boils down to industrial unionism versus craft unionism, progressives versus the Old Guard."

The Urban League was asked by Merrill C. Work, representing the Joint Conference Against Discriminatory Practices, to support a five-point program drawn up by that organization for the betterment of the conditions of workers in general and the Negro workers in particular, as follows:

1. For government responsibility for relief.
2. Support of the National Negro Congress to be held in February, 1936.
3. Opposition to the present program of the C.C.C. camps whereby families are cut off from the relief rolls when their sons are sent to camps, although the boys are paid only the meager sum of $25 to $30 a month.
4. For a united front against war and Fascism.
5. For support of the Lundeen Social Insurance Bill.

Youth Report Given

A report on the American Youth Congress and its activities in uniting Negro and white youth on a program of militant struggle for peace and against Fascist reaction in this country, was given by Elizabeth Scott, vice-president of the Congress, upon the request of the conference.

Green Recalls AFL Organizers From the South

Executive Council's Move Seen as Blow to Industrial Union Bloc

By BILL MOSELEY

BIRMINGHAM, Ala., Dec. 5.—Without any warning, the Executive Council of the American Federation of Labor announced yesterday that it was withdrawing all funds for paid organizers in the South. Only George Googe, Southern representative of the Federation, with offices in Atlanta, is to continue receiving funds from the national office.

No explanation accompanied the announcement of the Executive Council, but the move was interpreted as an attack on the industrial union bloc led by John L. Lewis. In the South today, to build unions means building industrial unions. The largest unions here are the United Textile Workers and the United Mine Workers, both on record for the industrial form of organization. Other unions which would naturally be built in an organizational drive are the Mine, Mill and Smelter Workers, on record for industrial unionism, and many federal locals, such as cement workers, agricultural workers, etc. which would materially strengthen the industrial union movement at the next A. F. of L. convention in Miami.

Lewis and Labor

Nation 12-11-35

JOHN L. LEWIS'S resignation from the executive council of the American Federation of Labor, though it was spectacular after the Lewis fashion, was not unexpected except in the moment chosen. It was the opening shot in the battle of American labor to beat down the forces which have so far been able to keep it from realizing its enormous potential strength and seizing the power it should rightfully exercise in our democracy. It is ironic and unfortunate but not illogical, given our peculiar development as a nation, that the first line of the enemy forces stands within the labor movement itself in the form of a small but strongly intrenched army of craft unions headed by a little band of blind and reactionary bureaucrats who have played into the hands of the real enemies of labor, the great industrial corporations, which are not weak and have their eyes wide open.

From a short perspective the job that John L. Lewis and his fellow-members of the Committee for Industrial Organization have set for themselves—to bring the main body of American labor into the federation against the majority will of the executive council itself—seems difficult. Even the technical device by which they will find it possible to organize the mass-production industries without benefit of mandates and yet within the framework of the A. F. of L. remains to be invented. It may be, of course, that no device will be found, that the craft-union majority on the executive council will win, and that industrial unionism will be compelled to form its own federation. But it is only necessary to consider the forces involved to realize that such a victory by the craft unions would be an empty one, that Mr. Green and his cohorts would merely have won the privilege of dying slowly instead of being killed outright—a privilege which, to be sure, they will fight for to the last ditch.

Mr. Lewis has chosen to lead the forces which Mr. Green cannot possibly control and which he has therefore tried to keep out of the federation. In other words, Lewis is going in the direction which American labor under the impulsion of mass production must take; and fortunately he is proceeding with a consciousness which has been lacking so far in American labor leaders of his power and influence, a consciousness which even John L. Lewis did not possess three years ago. Since then the NRA, whose workings he studied at first hand, has served to bring out more sharply than ever before the basic conflict between capital and labor and to demonstrate the weakness of labor, even with Section 7-a behind it, that is not organized and ready to fight in the same way that employers are organized and ready to fight. Since then, also, fascism has triumphed in Germany, and the fate of labor unions in Hitler's domain is a strong irritant in the minds of Lewis, Hillman, Dubinsky, and the others. Mr. Lewis underlined this threat in his radio speech when he pointed out that there were forces at work in this country [illegible] people," and our democratic institutions cannot be preserved. This is plain horse sense, and there is no doubt that America just as the labor movements of Germany and Italy the greater part of labor is with Lewis and the industrial which would wipe out, if they could, the labor movement in have a million organized workers at were wiped out. Moreover, Mr. Lewis is under no illusion are other millions of the unorganized as to the identity of those forces. While Ryan, Green, Woll and every mass-production industry t *al.* go on their backs; and there are ot Johnson, Mr. Lewis, who loves reds no better than they do, proposes to organize the steel industry. In all the basic industries, he maintains, there must be industrial unions "equal in economic strength to management." Otherwise there can be no prosperity even in a country whose can produce enough for an abundant life for all classes of

feverish red hunts with the aid of Hugh in steel, automobiles, and e clamoring to be led. What Mr. Lewis's dramatic resign porters attended the confere that a large section of public new role with profound inter career and personality—his

Labor—1935

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Executive Council's Move Seen as Blow to Industrial Union Bloc

By BILL MOSELEY

BIRMINGHAM, Ala., Dec. 5.—Without any warning, the Executive Council of the American Federation of Labor announced yesterday that it was withdrawing all funds for paid organizers in the South. Only George Googe, Southern representative of the Federation, with offices in Atlanta, is to continue receiving funds from the national office.

No explanation accompanied the announcement of the Executive Council, but the move was interpreted as an attack on the industrial union bloc led by John L. Lewis. In the South today, to build unions means building industrial unions. The largest unions here are the United Textile Workers and the United Mine Workers, both on record for the industrial form of organization. Other unions which would naturally be built in an organizational drive are the Mine, Mill and Smelter Workers, on record for industrial unionism, and many federal locals, such as cement workers, agricultural workers, etc., which would materially strengthen the industrial union movement at the next A. F. of L. convention in Miami.

Lewis and Labor

Nation 12-11-35

JOHN L. LEWIS'S resignation from the executive council of the American Federation of Labor, though it was spectacular after the Lewis fashion, was not unexpected except in the moment chosen. It was the opening shot in the battle of American labor to beat down the forces which have so far been able to keep it from realizing its enormous potential strength and seizing the power it should rightfully exercise in our democracy. It is ironic and unfortunate but not illogical, given our peculiar development as a nation, that the first line of the enemy forces stands within the labor movement itself in the form of a small but strongly intrenched army of craft unions headed by a little band of blind and reactionary bureaucrats who have played into the hands of the real enemies of labor, the great industrial corporations, which are not weak and have their eyes wide open.

From a short perspective the job that John L. Lewis and his fellow-members of the Committee for Industrial Organization have set for themselves—to bring the main body of American labor into the federation against the majority will of the executive council itself—seems difficult. Even the technical device by which they will find it possible to organize the mass-production industries without benefit of mandates and yet within the framework of the A. F. of L. remains to be invented. It may be, of course, that no device will be found, that the craft-union majority on the executive council will win, and that industrial unionism will be compelled to form its own federation. But it is only necessary to consider the forces involved to realize that such a victory by the craft unions would be an empty one, that Mr. Green and his cohorts would merely have won the privilege of dying slowly instead of being killed outright—a privilege which, to be sure, they will fight for to the last ditch.

Mr. Lewis has chosen to lead the forces which Mr. Green cannot possibly control and which he has therefore tried to keep out of the federation. In other words, Lewis is going in the direction which American labor under the impulsion of mass production must take; and fortunately he is proceeding with a consciousness which has been lacking so far in American labor leaders of his power and influence, a consciousness which even John L. Lewis did not possess three years ago. Since then the NRA, whose workings he studied at first hand, has served to bring out more sharply than ever before the basic conflict between capital and labor and to demonstrate the weakness of labor, even with Section 7-a behind it, that is not organized and ready to fight in the same way that employers are organized and ready to fight. Since then, also, fascism has triumphed in Germany, and the fate of labor unions in Hitler's domain is a strong irritant in the minds of Lewis, Hillman, Dubinsky, and the others. Mr. Lewis underlined this threat in his radio speech when he pointed out that there were forces at work in this country which would wipe out, if they could, the labor movement in America just as the labor movements of Germany and Italy were wiped out. Moreover, Mr. Lewis is under no illusion as to the identity of those forces. While Ryan, Green, Woll et al. go on their backs; and there are other Johnson, Mr. Lewis, who loves reds no better than they do, proposes to organize the steel industry. In all the basic industries, he maintains, there must be industrial unions "equal in economic strength to management." Otherwise there can be no prosperity even in a country whose "industry can produce enough for an abundant life for all classes of people," and our democratic institutions cannot be preserved. This is plain horse sense, and there is no doubt that Labor is with Lewis and the industrial unions. Already have a million organized workers at are other millions of the unorganized and every mass-production industry What is more, the wide interest in resignation—some fifty newspaper re conference which followed—indicate public opinion is watching him in hi interest; and the fact that his whol —his fighting tactics, his eloquence career and personality—his

even his appearance—are as indigenous as William Jennings Bryan or Billy the Kid will help him to win the support both of labor and the public. It is impossible to believe that he does not realize that he is undertaking a political venture as well as a unionizing campaign, or that he will hesitate to face the issue of a labor party when the time comes.

From this longer point of view the possibility that Lewis has set out upon a course which may lead to dual federationism loses much of its significance. The present development is much more likely to resemble the sequence of events by which the A. F. of L. grew out of the Knights of Labor. History will probably record that in 1935 the giant of American mass-production labor woke up, ripped off the tight but puny bindings of craft unionism, and started going places.

American Federation of Labor.

Labor–1935

Unions, Strikes, etc.

Shall We Have a Labor Movement?

New Republic
12-11-35

THE BREAK between the industrial unions, under the leadership of John L. Lewis of the miners, and the conservative officials of the A.F. of L. is much more than an internal squabble in the labor movement. It is a development that carries possibilities of significance to the whole of American life.

New York City

If a social philosopher were asked to say what is the greatest single weakness in the position of the advancing forces in our society, from the mildest progressive trench to the leftmost outwork, he would be compelled to answer that it is the impotence of the American labor movement. We have little except vaguely diffused opinion with which to balance the tremendous size, power and folly of organized wealth. Whether it is a question of social legislation, of unemployment relief, of opposition to racketeering and crime, of a better economic system or of peace itself, nothing can take the place of a well organized and disciplined industrial working class. For such questions are ultimately decided against the background of the balance of social power. Reason and argument have their place, but they stand little chance against interest where the only interest that is mobilized runs all one way.

Any traveler who returns from other countries where labor is well organized either for collective bargaining or for political purposes, or both, can feel at once the difference in accepted standards of social thought and action when he strikes our shores. Granted that most of the other nations in question are still operating, formally at least, on the capitalist model, nevertheless they are decades ahead of us in their approach to the problems of modern civilization. The capitalists in these countries are not better or more intelligent capitalists than ours, but they have been compelled little by little to accept restrictions upon their disruptive action. They have been partially tamed by the growth of collective institutions. They may, of course, break loose and turn the clock back by means of destroying the labor movement as they have done in Italy and Germany, but the very fact that the first condition of fascism is this destruction should indicate to us that in so far as our labor movement ~~is~~ weak we approximate the regimes of these outcast states rather than those of the Scandinavian countries, Britain or France. Even those who see no hope for democratic capitalism, no matter how well it is regulated, and look forward to a socialist revolution must admit that without a conscious and organized labor movement the prospect is hopeless, at least for a nation in an advanced state of industrial development.

For a while it seemed that the New Deal might make at least one solid contribution in the form of an immensely strengthened labor movement. If it had done only that one thing, it would have been historically justified. There was no lack of will to do it among forces influential in the administration. Section 7a of the N.I.R.A. was planned with this end in view; and the Wagner Labor Disputes Act was passed as a better substitute. The first law was partially botched in administration; the second is still inoperative and will remain so unless it jumps the hurdle of the Constitution. But the history of both reveals plainly that the most favorable setting of laws is of little use unless labor is prepared to take advantage of it by strong and correct organization. The unions now taking the lead in the revolt against the old leadership did so. The miners, the clothing workers and others made immense gains under the N.R.A. The principal trouble came in automobiles, steel and other industries where the workers were not so well organized and had to depend on blundering and inept leadership. The main obstacles to the successful organization of these basic industries were traceable to the methods and hesitations of the A.F. of L. officialdom.

Mr. Lewis and the leaders affiliated with him sought to remedy this situation within the framework of ordinary A.F. of L. practice by forcing the passage of a compromise resolution on industrial unionism in the convention. The resolution remained so many words on paper, as administered by an Executive Council which was dominated by conservative craft unionists. The unorganized remained unorganized; the expected leap in union membership did not appear. In this fall's convention the industrial unionists returned to the attack, but, although successful on some minor points, they were checked on the main issue. The debate, however, was not a mere discussion of abstract principle; the forces wanting progress appeared to be in deadly earnest in demanding action. They saw that the labor movement was passing through a crisis. It had already lost its best opportunity. If it remained without a foothold in so many basic industries, what existed would soon be in danger. In mere self-defense a policy of aggression was required. So, the official machinery having failed them, they formed a council of their own to help the organization of workers in basic industries, along industrial lines. They did this without withdrawing from the A.F. of L.

The question now is whether the ruling officialdom will permit this activity to go on without interfering in such a way as to split the Federation. A split is the last thing the insurgents want. But they are probably willing to accept it rather than to suffer the inaction and incompetence that have governed so far. Split or no split, the main necessity is to organize the unorganized, to build strong unions in steel, automobiles, rubber and the rest, so that the miners, clothing workers, textile workers and other organized trades shall not be outflanked.

If it comes to a competition for membership in the unorganized industries between vertical or industrial unions set up by the new council, and the old craft unions, the progressive forces will have all the advantage of position. The workers in a single industry, in 90 percent of the cases, want to belong to the same union. Industrial unions have a far greater chance of survival. Such a competition would be deplorable; it would be injurious to the morale of the labor movement and would temporarily weaken it. But it would not be more deplorable than the existing situation. We hope devoutly that it will be avoided by a timely surrender of obstructionism on the part of the A.F. of L. executives. But we also hope that the danger of a split will not soften the determination of the progressive forces of labor.

Labor-1935

American Federation of Labor.

Unions, Strikes, etc.

Negro Workers Look Skeptically to Green's Appearance in Harlem

A. F. of L. Leader's Record of Discrimination Is Basis of Suspicion—Concrete Assurance Against Jim-Crowism in Unions Wanted

By Manning Johnson

Member of Workers Council, Harlem

On January 6 Mr. William Green, president of the American Federation of Labor, and other leaders of the same union, will speak in Harlem. This is very significant. It is a departure from the traditional attitude of the A. F. of L. leaders to completely ignore Negro labor. This action on the part of the A. F. of L. leaders is the result of the tremendous rank and file pressure now focussed on the top officials of the A. F. of L. for the organization of Negro workers.

The advent of Mr. Green will be viewed with considerable scepticism by the Negro workers. They will hesitate to accept any proposal that will be made at the meeting, unless they get guarantees that this is not merely another gesture but a serious effort to work a real policy of struggle for Negro rights.

All the glowing promises, rosy resolutions and high sounding declarations of the A. F. of L. leaders are to the Negro workers so much sound and fury signifying nothing. The Negro worker knows that their resolutions, apart from not tackling this question basically, are nothing more than humanitarian gestures.

The whole attitude of the A. F. of L. leaders toward the Negro worker may be summed up in the speech of Mr. Furuseth, president of the International Seamen's Union and representing the Executive Council. Mr. Furuseth stated at the 54th Convention of the A. F. of L.: "Speaking for the seamen, I want to tell you something on this question that has serious bearing on it. The International Seamen's Union of North America has never for one moment made any distinction **but when we accept a colored man and put him on an absolute equality with the white man as to wages and conditions, we create a situation whereby the employer accepts the white man only. We could get no employment for our colored workers if we had to pay the same wages and give the same conditions. The result was that the colored men as a whole left our organization and accepted employment with less wages.**"

What is the crux of Mr. Furuseth's remarks? He supports the idea of white superiority and black inferiority that is spread by the employers for the purpose of justifying lower wages, longer hours, worse conditions for Negro and white workers. When it comes to fighting for equal rights for Negroes and joint struggle together with the white workers for better conditions nothing is done by this people.

Union Did Nothing for Negroes

It is not an accident that the Negroes quit the I.S.U. They found that their conditions were not improved through the organization. The exodus of the Negro workers is of no concern to the A. F. of L. leaders, because they are not interested in conducting a struggle for equal rights for Negro labor, but quite the contrary, they are supporting the division in the ranks of labor, that is used by the employers to tear down the living standards of both black and white labor.

It is a well known fact that the International Seamen's Union of North America is utterly bankrupt and totally unscientific theory, that Negroes are inferior, has been spread by the bankers of wealth to play white workers against Negro workers and vice-versa. The development of an anti-Negro psychosis has been accomplished by teaching white workers that Negroes have a "slave psychology," that they are "nearest the animal kingdom," that they are "illiterate, dirty, low," and so forth. This poisonous propaganda has a tremendous effect. It has been and is still being used to foment race riots, lynchings and all kinds of strife between Negro and white workers.

However, thanks to the Communists and other honest and militant workers, this poisonous propaganda is being combated. The white workers in the A. F. of L. unions are beginning to see that so long as the Negro is the last hired, the first fired, compelled to do the hardest work at the lowest pay, the conditions of the white workers will remain bad.

The fight for a real basic program of struggle for unity of Negro and white by rank and file delegates at the 54th Convention of the A. F. of L., shows the determination of the rank and file of the A. F. of L. to fight for and attain unity through struggle, over the heads of the bureaucrats.

The responsibility for the absence of any large trade union movement among Negro workers must be laid at the door of the A. F. of L. leaders because of their attitude toward Negro workers. It is important to point out that these leaders have permitted all the National and International Unions of the Transportation Department, with the exception of the Teamsters' and Longshoremen's Unions, to have clauses in their respective constitutions that state: **"Only sober and industrious white men are eligible for membership."**

Have Jim-Crow Clause

Among the unions that have this clause in their constitution are: Order of Railroad Telegraphers, Order of Sleeping Car Conductors, National Organization of Master Mates and Pilots of North America, Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees, Brotherhood of Railway Carmen, International Association of Machinists, Brotherhood of Boiler Makers, Iron Shipbuilders and Helpers of America. There are other national and international unions that do not have the color clause, but find ways of keeping Negroes out, such as the plumbers and electricians.

During the 54 years of the existence of the A. F. of L., no effort has been made to find a solution of the Negro problem. When Mr. Phillip Randolph, national organizer of the Pullman Porters Union, introduced a resolution that to some extent approached the problem, the leaders of the A. F. of L. were "shocked" over the fact that this question was raised, questioning the integrity of their "resolutions" and pious declarations. These gentlemen passed the buck, beat the devil around the stump and finally killed the resolution.

The reason for rejecting the resolution was: **"the A. F. of L. cannot say who are eligible for membership in the National and International unions, that is a right of the National and International union itself, of which it can not be deprived."** The meaning of the above statement is clear. The A. F. of L. leaders do not intend to change the situation and are not going to unless they are forced to do so by the rank and file of these unions. In the meantime, the Negro workers want Mr. Green to explain why this resolution was rejected.

Whether or not the advent of Mr. Green to Harlem means a change in policy, remains to be seen. However, it appears to me that its sole object is to make an empty gesture by setting up a few jim-crow locals with the help of Mr. Crosswaithe in accordance with Article II, Section 6 of the A. F. of L. Constitution. Article II reads: "Separate charters may be issued to Central Labor Unions, Local Unions, Federal Labor Unions, **composed exclusively of colored members**, where, in the judgment of the Executive Council, it appears advisable and to the best interest of the trade union movement to do so."

Negro Workers Seek Organization

The Negro workers are more desirous today to organize than ever before. We fully realize that only through trade union organization will we be able to better working conditions and get increased wages. Our experience has convinced us that if the Negro problem is to be solved the trade unions must conduct a merciless and uncompromising struggle for Negro rights, the right of Negro labor to the same wages and conditions with white workers, for the right to hold positions of leadership in the trade unions and for a joint struggle of all workers for better conditions.

The very things that Negro workers expect of the A. F. of L. trade unions has been lacking. The A. F. of L. leaders failed to organize the Negro workers on the basis of full equality with white workers and to consider the special problems of Negro workers. In fact the leaders of the A. F. of L. have sanctioned N. R. A. codes which discriminate against Negro workers. The A. F. of L. leaders who have served on the N. R. A. Labor Advisory Board condoned and sanctioned a number of codes with the disgusting wage differentials for Negro workers.

Let us take the Textile Code for example. The textile code leaves Negro labor out entirely. The minimum wage and the maximum hour provisions do not apply to the Negro. The code inasmuch as it affects Negro workers provides for lower wages and longer hours.

Since the "Wall Street" crash and the bursting of the "prosperity bubble" the number of unemployed among Negro workers has relatively increased much more rapidly than among white workers. The Negro is the first to be fired, and when there is a slight pick-up he is not being rehired. He is hardest hit. The present set-up of the relief apparatus is inadequate to cope with the widespread unemployment situation. An all embracing system of unemployment and social insurance is vitally necessary.

In spite of this truly alarming situation, however, Mr. Green sends out a letter addressed to all "presidents of National and International Unions, State Federations of Labor and Central Labor Bodies" calling upon them not to support the Washington Congress for Unemployment and Social Insurance.

It is clear that as long as such an unhealthy situation prevails in the A. F. L. and its affiliated organizations, Negro workers will not join the A. F. L. no matter how many spell-binding orators or reformist "self-seekers" appeal to them. There is a fertile field for organization among the Negro workers. It is a virgin territory.

Fight on Jim-Crow Is Basis

To plant the seed of organization will require considerable work on the part of the membership of the A. F. L. to begin a serious and determined fight inside the A. F. L. to force the leaders to take decisive action to clean up the situation. Many of the rank and file members have fought against the A. F. L. leaders and their jim-crow and discriminatory policy and will continue to do so. This shows the tremendous possibility of convincing the white members to fight for the rights of Negro workers.

In spite of the situation in the A. F. L. trade unions Negro workers are joining because they feel that with the help of militant rank and file white workers as strong allies they will be able to break down systematically every barrier and create real basic unity.

However, the only real basis for unity and a mass influx of Negro workers into the A. F. of L. can only be the result of a serious and determined struggle against every discriminatory practice against Negro workers; the taking of all Negro workers into the various National and International Unions on the basis of absolute equality with the white members and the waging of a extensive and intensive campaign for the rights of Negro workers.

Coupled with this must be the creation of real trade union democracy, the lowering of inlation fees so as to guarantee the possibility for Negro workers to join with full Jim Crow barrier, every discrimination-membership privileges and a joint struggle against the bosses for better conditions. Through the carrying out of the above simple but very important steps can be realized the growth of mass unions among the Negro masses.

FIST FIGHT BRINGS LABOR CONVENTION TO RIOTOUS CLOSE

John L. Lewis and William Hutcheson Come to Blows Over Difference in Craft and Industrial Forms of Union.

MANY RESOLUTIONS NOT CONSIDERED

Porters Are Dissatisfied With "Evasive" Action on Demand of Negroes for Full Membership.

ATLANTIC CITY, N. J., Oct. 19 (AP)—The American Federation of Labor convention, climaxed today by a fist-fight between two of the nation's best known labor leaders, came to an end tonight after two weeks of stormy sessions.

A slugging match between John L. Lewis, president of the United Mine Workers, and William L. Hutcheson, president of the Carpenters' Union, opened today's session.

The convention's last act was to direct the federation executive council to prepare and have introduced in congress a constitutional amendment to cover New Deal legislation.

Delegates, wearied by long hours of heated debate—much of it on the industrial union side—left a large share of resolutions for the executive council's consideration.

Much of the final session went to a discussion of the executive council's report on discrimination against negroes by trade unions.

Philip Randolph, president of the Sleeping Car Porters' Union, called the report "evasive," but William Green, federation president, defended it as the only practicable step the federation could take.

The report recommended that the federation urge all unions to take in negroes.

Order was quickly restored after Lewis and Hutcheson were separated. Hutcheson left the convention hall, his face bleeding. Lewis' only apparent injury was a small scratch on the middle finger of his left hand. On the next finger he wears a massive gold ring.

Lewis said he swung after Hutcheson called him a "foul name." Hutcheson swung back. With Lewis' second blow, some observers said, Hutcheson tumbled back, knocking over a table.

William Green, federation president, told reporters nothing of the kind ever before had happened at a federation convention.

The fight grew out of the bitter personal feeling that has developed out of the controversy between craft and industrial unionisis over how mass production industry workers should be organized. The craft unionists say "by craft." The industrial unionists say "by industry."

When the convention voted on the general issue Wednesday night, the craft unionists won by an overwhelming vote.

In view of this vote, the resolutions committee today recommended rejection of resolutions introduced by rubber and auto workers calling on the federation to keep craft unions out of their industries.

William Thompson, an Akron (Ohio) rubber worker, was speaking against the committee's report when Hutcheson, one of the craft union leaders, asked the chair to rule the speaker out of order. The issue had been settled, he said.

After some discussion of Hutcheson's point Lewis stalked down the middle aisle of the convention hall, stopped half-way and urged that Thompson be permitted to continue.

The champion of the industrial unionists, Lewis called Hutcheson's objection "small potatoes."

Hutcheson retorted that eating small potatoes was what had made him so big.

Others continued the discussion. Lewis quietly moved to Hutcheson's side. Words were exchanged and the fight started.

While Green furiously rapped for order, hundreds of delegates closed around the contestants. The hall rang with the shouting. Blows were exchanged on the side.

After peace was restored, the whole affray lasted only a few minutes—the convention sustained the committee on the rubber resolution. After hours of debate, similar action was taken on the automobile resolution.

After shouting down a proposal to set up an independent labor party the convention adopted a constitutional amendment designed to combat communism.

The amendment provided:

"No organization officered or controlled by communists, or any person espousing communism or advocating the violent overthrow of our institutions, shall be allowed recognition or representation on any central body or state federation of labor."

This was a compromise, leaving intact the right of international and national unions to give membership to communists.

New York Evening Post

NOV 12 1935

SECRETARY QUITS A. F. L. NEGRO BODY

Brophy Charges Work of His Committee was Sabotaged

WASHINGTON, Nov. 12 (AP).—Charging that the work of the American Federation of Labor committee on the Negro problem has been sabotaged and that its recommendations have been suppressed, John Brophy, secretary of the committee, has handed in his resignation to William Green, president of the Federation.

Mr. Brophy's action reflects the dissatisfaction with the executive council's handling of the issue of discrimination against Negroes in trade unions, which was expressed in the closing hours of the A. F. of L. convention at Atlantic City by A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters.

The committee of five to investigate conditions of Negro workers was appointed by Mr. Green under instructions of the San Francisco convention.

Mr. Brophy declares that the San Francisco motion provided that his committee "report to the next convention." Green and the executive council, he says, "denied us the right to so report to the fifty-fifth annual convention held recently in Atlantic City. Even our formal recommendations to the convention were suppressed in the supplemental report of the executive council on this subject."

Report Read

The supplemental report on the Negro question was read to the Atlantic City convention at the closing night session, after Mr. Randolph had objected to a motion to adjourn, until this report should be heard and acted upon.

It did not include the recommendations of the committee, but proposed in general terms a campaign of education among white workers. Mr. Randolph offered as a substitute the committee's recommendations for more specific action against anti-Negro discrimination, but was voted down.

The committee had also proposed to the executive council that it should be allowed to follow up its Washington hearings by conducting further hearings. A resolution supporting this proposal was among the unfinished business turned over to the executive council at the close of the convention. But the council amended the resolutions committee report by striking out the part calling for such meetings. This action renders the resolution meaningless, according to Brophy.

"The maneuvering on the part of the executive council plainly indicated that you wanted the 'Committee of Five to Investigate Conditions of the Colored Workers' to be merely a face-saving device for the American Federation of Labor, rather than an honest attempt to find a solution of the Negro problem in the American labor movement," Brophy charges in his letter of resignation."

American Federation Of Labor Is Asked To Prevent Practice Of Jim-Crowing Negro Workers

William Green, president of the American Federation of Labor, was asked this week to give his personal support to the drive against jim crow in A. F. of L. unions when the Federation meets in Atlantic City, New Jersey, for its annual convention the week of October 7.

T. Arnold Hill, acting executive secretary of the National Urban League, wrote to the head of the Federation as part of a nation-wide campaign which the League is carrying forward to unify the demand of Negro workers, organized and unorganized, for abolishing the color bar in A. F. of L. unions.

In part, Mr. Hill's letter states:

". . . . .until the American Federation of Labor officially outlaws jim-crow, the organized labor movement can never begin truly to function as an instrument providing economic security for America's working masses. Nor is it true that prejudice against Negroes invariably has its roots in an ignorant union membership. More often, such prejudice is nourished and perpetuated by a selfish, entrenched clique of officers who derive material gain from splitting the unity of workers and withholding protection to masses in the labor movement."

Text Of Letter

The letter goes on to say:

"Labor's friends realize that organized labor faces a death struggle within the near future, and that to survive, it must enlist more successfully than it has done in the past the loyal support of the millions of organizable workers, white and black, who are not now members of the American Federation of Labor or any other independent union group. The Federation has a chance this year as it never had before to weld the working masses of America into a firmly loyal unit, able to fight against the forces of selfish, entrenched interests.

Action at the Atlantic City convention outlawing jim crow from the labor movement will be a clarion call not only to Negroes, but also to millions of white workers who now suspect the sincerity of organized labor's leadership.

"In the interest of all labor, we urge the American Federation of Labor to make such a pronouncement and to follow it up with ceaseless work among its component unions to dispel the ignorant prejudice which now separates workers of different races. As president of the Federation, you can give enormous impetus to such a movement by making a strong recommendation in your annual address. The National Urban League urges you to seize this issue and to assert leadership which will put the Federation squarely before the eyes of America's workers as a courageously unselfish force working to emancipate labor. You will scarcely have so excellent an opportunity in years to come to justify your leadership."

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Arkansas.

'This Is My Land and My People,' Declares Framed Arkansas Worker

By REX PITKIN

THE ruling class of Arkansas does not want Horace Bryan in the state. They have locked him up four times in the last few months because of his connections with working class organizations.

Horace Bryan is sick. He is suffering from Bright's disease and needs immediate medical attention. Two weeks ago he was passing through Fort Smith on his way to St. Louis, where Mother Bloor had arranged for him to enter a hospital. The police picked him off the street and threw him in jail. He was held incommunicado for five days before he was released.

Judge Joseph A. Gallagher, of Fort Smith, a bitter labor hater, who once convicted Bryan of anarchy, shouted at Bryan in the court room: "If you don't like America why don't you go to Russia? Horace gives his answer to Bryan through the **Daily Worker:**

"I love America and the American people. This is my land and my people. My kind of people built this country. My forefathers were among the earliest settlers here. They fought in the revolutionary war for freedom. They crossed the mountains with Daniel Boone. If Judge Gallagher will read his history he will find that Daniel Boone married a brave little woman by the name of Bryan. My people came into the state four generations ago and blazed one of the first trails across the state.

"Yet a judge at Little Rock had enough nerve to give me a vagrancy slip and was small enough to lie about it to the newspapers and say I had taken a vag slip and left town. I've often wondered why he doesn't send me back to where I came from since I'm about a quarter American Indian.

"Trouble-Makers"

"Yes, I've been called an 'outside agitator, foreigner, Russian Red and trouble-maker.' We, my kind, organized the Boston Tea Party, wrote the Declaration of Independence and staged a Revolution against British tyranny in '76, just to be making trouble. Our love for trouble—or was it homes and freedom?—drove us across the mountains, the valleys, the plains, the deserts and on to the sea in the West. Somehow, between trouble-making, we found time to convert the great forest into a garden, our blazed trails into highways, our wagons into airplanes and locomotives, our log cabins into skyscrapers of steel and stone. Yes, and today the same old blood—the same line of trouble-makers—are still making trouble.

"Once it is a half-million farmers, then it is the vets on march, then the men of steel, then the marine workers, then a million strong in textile, then a half-million miners, striking, making trouble for a living wage and decent working conditions. Sometimes it's some lowly unemployed—who helped build this country—fighting for enough of it to live on at least, organizing to protect their families, refusing to scab on their employed brothers. Americans—a hundred million strong—trouble-makers!

"Yes, Judge Gallagher, I love America with its beautiful mountains and forests and streams. I love it too much to sit idly by while the capitalists and their agents destroy everything lovable in it. That's why I've been in jail four times in the past year.

Forced by Chamber of Commerce

"Certain officials have come to me and tried to excuse themselves by saying that they were forced to take the action which they took against me. Forced! Imagine! Responsible public officials paid out of the taxpayers' money being forced by the Chamber of Commerce. This shows who's running the Democratic Party. This exposes the real nature of their crime—wage-cutting, union-smashing, strike-breaking.

"What is behind it all? Greed! Bankruptcy of the capitalist system! Fear, not only of me but of the working class and all the honest elements in our society. Fear that they will have the cobwebs brushed from their eyes. Fear of exposure of graft, corruption. Fear that makes them tremble clear down to the ends of their toes. Fear—not of outside agitators, not of foreigners, not of their bogeyman, the Russian Red; maybe they fear the American Red—but fear of that great trouble-maker, Mr. Johnie Q. Public, citizen, U. S. A. They know he ought to make trouble. And they know he is going to, sooner or later, just as soon as he sees and understands what is going on a little better."

Horace has worked in the mines since he was a boy. When sixteen he joined the United Mine Workers of America, helped reorganize the miners in Arkansas, fought for autonomy of District 21—for the right to elect their own representatives and delegates. He's been in the midst of the struggles of the Southern Tenant Farmers' Union, has led the unemployed of Fort Smith and Arkansas in general and won important concessions for relief workers.

Fake Charges

Horace declares that "all the charges against me have been fake charges, charges which disguise the real issues in the controversy. The February arrests were just a nice piece of strike-breaking by the Fort Smith police and Sheriff Jack Pace, under orders of the Chamber of Commerce. In Little Rock I was arrested while speaking to 500 relief workers and charged with vagrancy. This was an open fake charge.

"Not only have I been framed on fake charges. Upon each of my four arrests the officials have usurped their power—it was they who were violating the law—not I. Four times the crime of false arrest and false imprisonment have been committed against me. The constitutional right to 'peaceably assemble and petition the government for a redress of grievances' and the right of labor to organize, won in the struggles for the first unions, have been ignored. The law goes ahead, usurping power, violating its own law, destroying the constitution and civil rights."

Scholarships for Labor Leaders

SIR: Commonwealth College, a united-front, non-factional labor school which exists for the purpose of training leaders for the Southern labor movement, has offered to the Southern Tenant Farmers' Union an unlimited number of scholarships in order to prepare young sharecroppers for their immediate struggles—struggles which in most cases center around a demand for a wage scale of a dollar a day. The scholarships will be awarded to students selected by H. L. Mitchell, secretary of the union.

Commonwealth has no endowment, no rich benefactors, and sharecroppers haven't enough to eat. If we are to train leaders for Southern labor—and the need is desperate—funds must be obtained. We have already raised money enough to cover complete scholarships for two young, aggressive sharecroppers. At least five more cotton pickers should receive the benefit of training in farm organization and labor problems. Readers of The New Republic will do starving Negro and white workers a service by sending their contributions, no matter how slight, to the college.

CHARLOTTE MOSKOWITZ, Secretary-Treasurer,
Commonwealth College.

Mena, Ark.

Labor-1935

Unions, Strikes, etc.

Arkansas.

"RED" INVESTIGATORS MAY WIDEN INQUIRY

Committee Called for Discuss Advisability Today

2-25-35

MORE POWER IS SOUGHT

Commonwealth College Probe Brings Decision—Minister, Friend of Agitators, Charges He Was Attacked

By The Associated Press

LITTLE ROCK, Feb. 24.—Chairman Marcus Miller today called a meeting of the joint legislative investigating committee for tomorrow night for the reported purpose of discussing the advisability of asking that its powers be broadened to include an inquiry into all alleged radical labor agitation in the state.

Miller's action followed on the developments of yesterday, which included the sentencing of a second man at Fort Smith on charges connected with the relief workers' situation, and the charge by the Rev. Ashton B. Jones of Atlanta, Ga., that he was kidnaped and threatened with death by unidentified men at Fort Smith last Thursday night.

Named Two Weeks Ago

The committee was named two weeks ago to inquire into teachings and practices of the faculty and student body of Commonwealth College, a labor school at Mena, which has been brought into the troubled economic situation among the sharecroppers of Eastern Arkansas, and the recent strike of relief workers at Fort Smith, who protested a wage cut of 10 cents an hour.

Miller would not discuss the purpose of tomorrow's meeting, nor would the other members. But persons close to them said they had been studying what was described as "radical cross currents" in the state and that they might ask broadening of the committee's powers to take in all alleged Communistic and radical agitation.

Says Life Threatened

At DeQueen, Jones said he was taken from a prominent hotel at Fort Smith last Thursday night and after being handled by two groups of men, was forced to accompany a third group to the Figure Five community near Van Buren. There, he said, a rope was thrown about his neck and his life threatened.

Jones, who said he was going about the country investigating labor conditions, said he "thought I convinced Mayor (J. K.) Jordan of Fort Smith that I was innocent of any Communistic leanings."

It was after Jordan's visit to him, Jones said, that he was kidnaped.

Mayor Jordan retorted that Jones "is just a big liar," and said his visit to him was for the purpose of asking him not to make a speech to the relief workers, who in the meantime had gone back to work. Jordan said an investigation had convinced him that Jones was not kidnaped nor beaten.

MINISTER SENTENCED ON BARRATRY CHARGE

Companions Get Continuances at Fort Smith

2-24-35

MUST SERVE 90 DAYS

Judge Indignant in Passing Judgment on Williams—Investigators Continue the Inquiry

By The Associated Press

FORT SMITH, Ark., Feb. 23.—Adding another chapter to this state's inquiry into economic upheavals and alleged Communist activity, a former minister went to jail today to serve a 90-day sentence on o conviction of barratry.

The defendant was Claude C. Williams, former pastor of a Presbyterian church at Paris, Ark., who was found guilty by a jury in municipal court of inciting dissention among Sebastian County relief workers.

Warned From Bench

Cases against eight others similarly charged were indefinitely continued by Municipal Judge James A. Gallaher, who warned the group from the bench: "You had better watch your step," and who raised his voice angrily to denouce what he described as "these radicals, Reds and Communists."

Conviction of Williams on the barratry charge followed swiftly on the conviction of an associate, Horace Bryan, young Commonwealth College graduate, on a charge of naarchy.

"Justice already has been served," commented Prosecutor Harrell Harper in assenting to the continuances.

All of those whose barratry trials were continued, except Bryan, were released on their own recognizance and "on good behavior." Bryan this week started serving six months in jail on his anarchy conviction.

Best Country In World

"I think we have the best country in the world, and the man who doesn't like it ought to go to a country that suits him," said Judge Gallaher in releasing seven of the defendants.

These were booked as Rev. T. A. Reed, Mrs. Sarah Goff, Telton Sanders, Ambers E. Gilbert, George Edwards, William H. Fields, and Ed Miller, a negro.

They were charged with spreading discontent among relief project workers, whose pay was recently cut ten cents an hour to a scale ranging from 20 to 25 cent an hour. Agitation for a relief strike, which brought Bryant's arrest, resulted in a week's shutdown of all relief in the county.

Judge Gallaher commented from the bench today that he was "surprised at the attitude of some students from Conway" who same here last night to attend Williams' trial. The students had explained here they were studying law at Hendrix College, Conway, and College of the Ozarks, Clarksville, and came here to observe "court proceedure and civil liberties."

The Arkansas legislative committee investigating alleged Communist teaching at Commonwealth College, Mena, south of here, and seeking to determine what connection if any existed between that college and the Sebastian County relief trouble and Eastern Arkansas sharecropper demonstrations, was in recess today.

Committeemen indicated they would not sit again until after a scheduled public hearing in Little Rock Tuesday night on a bill to make possession of seditious literature a felony.

SEDITION PUNISHMENT PROTESTED BY LABOR

Federation Leaders Appear Before Arkansas Committee

WANT SECTION 1-A IN BILL

Southern Organizer Contends State "Will Become Stamping Ground" for Reds If the Measure Passes

By The Associated Press

LITTLE ROCK, Feb. 26.—Representatives of the American Federation of Labor tonight vigorously assailed a House bill to place a drastic punishment on sedition, and urged before a Senate judiciary committee hearing that it be amended to include verbatim the NIRA labor section to protect organized labor.

The representatives were George Googe of Atlanta, chairman of southern activities of the federation, and Holt Ross of New Orleans, southern organizer, who declared that if the bill was enacted into law "you will make Arkansas a stamping ground for Communists who want to get their names on the front pages."

Their testimony, together with state labor leaders, was heard before a specially called committee hearing to avoid, in the words of Googe, "that other bunch."

Assailed By Liberals

The committee had called the hearing to hear Lucien Koch, director of Commonwealth College, Mena, and other faculty members and students of the liberal labor college, who have assailed the measure as one aimed at the college.

Koch and his institution and its students are under investigation by a joint legislative committee for their alleged activities in behalf of protecting sharecroppers in eastern Arkansas, and in the recent relief workers' dissension at Fort Smith.

Googe and Ross joined with H. M. Thackery, president of the Arkansas Federation of Labor, in opposing the sedition bill by Representative S. A. Gooch of Cross County, who also was present to defend it on the ground that the state now has no law providing drastic enough penalties for advocating the overthrow of the government by force.

Googe said that "legitimate labor organizations might as well know that this bill will hit them a severe blow."

Under it, he said, he and other representatives of the federation could conceivably be sentenced to death if, during a labor rally, "the foes of organized labor" caused an overt act which resulted in the death of an officer.

Both Googe and Ross said that they were in sympathy with the purposes of the act, which are to prevent radical agitation, but said under its terms, it would strike at free speech, a free press and "all the American ideals and traditions we hold so dear."

"As soon as you pass this bill," said Ross, "you will make Arkansas a stamping ground for the radicals. They want publicity, and they will pour thousands of dollars into this state to make martyrs out of Communists and other left wingers. We are as much opposed to Communism as you are, but we submit that this bill, as drawn, will do more to help it than hurt it.

"As soon as you make people think that their rights of free speech, free press and the other ideals and traditions we hold dear, are being violated or threatened, then you will bring down here such organizations as the American Civil Liberties Union, the International Labor Defense, which is Communistic, and others."

Googe promised to draft, as an amendment to the bill, Section 7a of the NIRA and have it ready for consideration of the committee.

Koch's efforts in behalf of sharecroppers who protested against what they said was discrimination in crop production contracts, brought on the legislative investigation into alleged "un-American activities" of him and the 33 students who enrolled from almost as many states.

The sedition bill defines sedition as the act or attempt to act to make any outbreak or demonstration of violence or to encourage such act or attempt, against the state or United States.

Such attempts were described as "any writing, publication, printing, cut, cartoon, transmission by radio, or conduct, either individually or in combination with any other person or persons."

Possession of five copies of any pamphlet or publication advocating overthrow of the government would be made prima facie evidence of intent to commit a seditious act.

The preamble to the proposed act recites that "many and diversified attempts are being made to spread seditious doctrines among the people of this state, which attempts are inimical to the welfare of the state and threaten the peace and tranquility thereof."

HOUSE DENIES RECALL OF ANTI-SEDITION BILL

Commercial Appeal

Maner Contends Measure Is Threat to Free Speech

3-1-35

VOTED DOWN, 57 TO 34

Memphis

Gooch Denies Any Intention to Block American Principles of Liberty—Eastern Sharecrop Region Against Recall

By The Associated Press

LITTLE ROCK, Feb. 28.—Dividing 57 to 34, the House late today refused to recall from the Senate the Gooch anti-sedition bill, subject of major controversy in and out of the Legislature for two weeks.

Representative Ernest Maner of Garland moved for the recall, reviving a brief but sharply worded debate on the measure when he charged the House did not know the full intent of the bill when it was pushed through the Chamber in less than a half hour a fortnight ago.

The bill was passed in the House as an emergency measure just as a legislative committee opened an investigation into Commonwealth College at Mena, under a resolution charging the college with communist teachings.

Block Senate Vote

On moving recall of the bill today, Maner admitted his action was prompted by a desire to kill the measure before it could be brought to a vote in the Senate.

"The House passed this measure," he said, "believing it was aimed only at persons or groups seeking to overthrow the government. As a matter of fact, the bill, as drawn, threatens freedom of speech and freedom of the press. I move it's recall from the Senate."

Sam A. Gooch of Cross County, author, denied any intent of abrogating free speech or free press.

"This bill does nothing of the kind," he replied. "It is drawn solely to punish those who seek to overthrow the government by violence.'

On the roll call, representatives from eastern Arkansas, scene of recent demonstrations by sharecroppers, and from Sebastian County, where agitation for strike on relief projects brought convictions for anarchy and barratry, voted against recall.

The measure, providing penalties up to 20 years imprisonment for possession or distribution of seditious literature, is with the Senate judiciary committee, which has withheld a report following a stormy public hearing on the measure early this week.

Opposition to the bill at the hearing was led by Lucien Koch, director of Commonwealth College, who charged it was aimed at his school.

The joint committee investigating Commonwealth said today that its work had been completed, but that delay in transcribing testimony would postpone the committee's report, probably until next Monday. All testimony taken in the inquiry was executive.

Free Speech And Limits

The usual collection of self-publicists and professional idealists, who make a very nice living by flaying both the morals and manners of those in discreetly selected sections rather far from where they live, are tearing their collective hair because Arkansas has chosen to investigate the activities of Commonwealth College.

Commonwealth is described as an independent labor school not affiliated with any party or movement. Its teachers and pupils are pictured as very high-minded and self-sacrificing individuals who heroically incur the Simon Legree-ish displeasure of the greedy, grasping, heartless plantation owners by acts of mercy tendered in behalf of ruthlessly evicted tenants and sharecroppers. These self-appointed critics thunder down all the law and the gospel, all the right and the wrong, and they are as amazingly appalled by alleged injustices in Arkansas as they are blind to and silent about inequities in their own homes.

The battle cry of these crusaders from a distance is that the freedom of speech is being violently abridged by Arkansas' devilish landowners and property holders. It might be suggested, though it would almost certainly do no good, that the people who have lived with Commonwealth College for some years are in a position more favorable than otherwise to know what they think of it. It is barely possible, too, that Commonwealth College is a nest of avowed Communists and that its teachers and students are alert for any opportunity to irritate a social sore as a means of furthering their open, if crackbrained, idea of accomplishing a revolution of violence. It is likewise conceivable that the manners, morals and customs of Commonwealth are repulsive to a majority of the people of Arkansas.

It is within at least the outside range of possibility that the south in general is faced with a very difficult social and economic problem because of the reduction of cotton acreage and the difficulties created by depression in general. Intelligence and generosity would dictate finding out whether or not the south is doing its best, as a rule, to solve these puzzles as speedily and satisfactorily as possible. Wholesale indictments are out of the question, unless you happen to be dependent for your living on making a business out of giving somebody at a distance the devil and all.

The maintenance of the right of free speech is a duty to which all Americans are committed, but the matter hardly demands that a man shall countenance the presence on his very doorstep of a set of more or less violent jingle-brains who not only call him a thief and a scoundrel but also try to get his neighbors to join in the chorus. There are limits to all things. Arkansas is entirely within its right in making an investigation of Commonwe[illegible] College. Freedom is not the privilege [illegible]oing whatever we may happen to pl[illegible] without regard for the rights of oth[illegible]

ARKANSAS TO CONSIDER SEDITION BILL TODAY

Constitution

3-12-35

Senate Calls Bill from Committee Where it was Believed Dead.

Atlanta

LITTLE ROCK, Ark., March 11.—(AP)—The Arkansas senate tonight called from its judiciary committee a proposed drastic anti-sedition bill and placed it in position for final action tomorrow after opposition arose to its consideration tonight.

Senator J. L. Shaver, a member of the joint legislative committee which has investigated alleged communistic activities at Commonwealth Labor College, moved to recall the bill from the committee and agreed to allow consideration to go over until tomorrow to prevent lengthy debate tonight.

The proposal already has passed the house and would punish sedition by imprisonment up to 20 years. It apparently had been pigeon-holed by the judiciary committee which had been deluged with protests against its passage following a stormy public hearing in which Commonwealth and labor representatives appeared to protest against the measure.

The Commonwealth investigators found that the college as an institution had only an academic interest in extreme liberalism but added that some of its 40 students and 10 teachers "are committed to the communist theory and their militant activities in fostering, leading and agitating dissension by strikes and otherwise over the state are extremely radical and close to the border line."

Noting that Lucien Koch, the college head, "does not believe in God" and that "the school is agitational rather than educational," the committee directly charged that its attaches had taken advantage of economic conditions "to excite class hatred, breed racial friction and promote domestic violence."

Agitation among eastern Arkansas share croppers and in the movement for recent relief strikes in western Arkansas were cited as instances.

"They plead for the protection of constitutional rights which they are seeking to destroy," the committee commented.

NORMAN THOMAS TO TOUR ARKANSAS

LITTLE ROCK, Ark., March 11.—(AP)—An eastern Arkansas tenant committee today arranged for two addresses in the Arkansas capital tomorrow by Norman Thomas, socialist leader, but were forced by an 11th hour rush of business in the general assembly to delay a request for legislative investigation of the landowner-share cropper controversy.

Thomas' trip to Arkansas is part of a planned "offensive" in behalf of the share croppers, some of whom have charged mistreatment and evictions from plantations in the eastern section of the state.

Heads of the Southern Tenant Farmers' Union and Howard Kester, Nashville, Tenn., representative of Thomas, had planned to press for the legislative investigation today, charging constitutional rights had been violated in the breaking up of tenant meetings. The group, however, went to Memphis late today to meet Thomas without making an appearance before the legislature, which was wading through a jam of bills in its last week of the session.

For the same reason H. L. Mitchell, secretary of the union, and Ward H. Rodgers, an organizer recently convicted of anarchy, deferred a call on Governor J. Marion Futrell, to whom they plan to offer honorary membership in the tenant union.

MINISTER LEAVES JAIL

Commercial Appeal

Claude Williams Appeals, Relief Disturbing Charge at Fort Smith

FORT SMITH, Ark., March 9.—(AP)—Claude C. Williams, former Paris, Ark., minister who was convicted of barratry here Feb. 22 in prosecution arising from the spread of dissension among relief workers, was released from jail today on $600 bond.

3-10-35

Williams' appeal on the barratry conviction will be heard next week before Circuit Judge J. Sam Wood.

Negotiations also were reported under way to obtain liberty on bond for Horace Bryan, former Commonwealth College student convicted of anarchy in the relief troubles. His bond was set at $2,000. He likewise has filed an appeal.

Arkansas.

Labor-1935

Unions, Strikes, etc.

NIGHT RIDERS MENACE LAWYER FOR TENANTS

Commercial Appeal
Memphis, Tenn.

Shots Fired After Call on Marked Tree Attorney

3-29-35

DEPUTY GUARDS HOME

Memphis, Tenn.

Carpenter Answers Knock With Pistol in Hand—Represented Sharecroppers Union Members, Feeling High

Special to The Commercial Appeal

MARKED TREE, Ark., March 27.—A sheriff's deputy stood guard tonight at the home of C. T. Carpenter, attorney for the Southern Tenant Farmers' Union, following a foray by nine or 10 cars of unidentified men last night in which three shots were fired after the attorney answered a knock on his door and refused to come out.

Th guard was placed by Sheriff J. D. Dubard after a day of investigating failed to provide clues as to the identity of the visitors, the sheriff said. Carpenter said that he found two empty cartridge shells on his front porch this morning. He said that he possibly could identify one of the five men who stood on his front porch, but that he would not give the name to authorities until he was sure of the identity.

"The other four men were total strangers to me," Mr. Carpenter said today. "I'm satisfied that last night's affair was the outgrowth of some sort of organization like the old Ku Klux Klan."

Wife Answered Knock

He said that his wife answered a knock at the door shortly before midnight. Mrs. Carpenter summoned the attorney.

"I picked up my pistol," Carpenter said. "When I opened the door, the men ordered me to come out. I could see them plainly, as I had turned on the porch light. They had pistols in their hands. I had covered them when I opened the door and they sidled over to one side, but did not attempt to raise their guns, otherwise I would have shot at least one man.

"I told them that I wouldn't come out, and then slammed the door. They fired three shots, one of them striking the porch light. Then they ran over to the cars and sped away. I couldn't see how many persons were in the gang. They didn't shoot into the house, evidently wanting only to destroy the front porch light so they could not be seen leaving.

"We've plenty of officers here to take care of any trouble," Sheriff Dubard said, but he added "when things happen so unexpectedly, it is difficult to stop them."

Fred H. Stafford, deputy prosecuting attorney for Poinsett County, said that "feeling against some of the organizers is pretty high."

Employed By Union

Carpenter said that he was not a member of the union, and not general counsel for the union, but that he had merely been employed by the union in a number of cases. He was "surprised that there would be any attempt to intimidate me."

It was learned that Carpenter has advised H. L. Mitchell, secretary of the union; H. Clay East and Howard Kester and other speakers for the union, to stay away from Poinsett County in view of the possibility of violence.

The visit to Carpenters' house followed a series of threats against others interested in the union. East and Miss Mary Hillyer, New York City, a speaker for the League For Industrial Democracy were warned not to return after they addressed sharecroppers at Marked Tree Saturday, they said. W. H. Stultz, president of the union, charged that he was warned by a group of men to cease his organization work or he would be killed and his body dumped into the St. Francis River."

A. B. Brookins, negro preacher, escaped in his nightclothes when 32 bullets were fired into his home last week.

Carpenter is attorney for Ward H. Rodgers, 24-year-old former FERA worker, whose conviction for anarchy growing out of an alleged protest from Norman Thomas. The hearing of Rodgers' appeal has been postponed until fall. Carpenter also represented the union in its fight to prevent eviction of sharecroppers.

The Arkansas supreme court last week approved a lower court ruling denying an injunction to prevent evictions.

TENANT UNION ASKS FEDERAL 'PROTECTION'

Eastern Organizers Speak at Marked Tree Rally

Commercial Appeal
Memphis, Tenn.

OFFICIALS REMAIN HERE

3-24-35

Speakers Claim Two Autoloads of Men Waiting—President Vanishes After Threatening Note Received

Memphis, Tenn.

MARKED TREE, Ark., March 23.—(AP)—In the face of alleged threats of violence, organizers for the Southern Tenant Farmers Union held a rally here late today, after Socialist party leaders demanded federal intervention in the East Arkansas sharecropper controversy to prevent threatened "lynchings" and other violence.

The national executive committee of the Socialist party, in a telegram to President Roosevelt from Buffalo, N. Y., declared the government will be responsible for murder if it refuses to act in the "reign of terror" against the union.

H. L. Mitchell, union secretary, in a statement at Memphis, said "the terror which has been inaugurated both by the planters and their retainers can be stopped only by federal intervention."

Two Stay Here

He and Howard Kester, Nashville Socialist, planned to attend the rally here, but union officials said they advised the two not to leave Memphis, "because of threats made here against them."

H. Clay East and Miss Mary Hillyer of New York City, a member of the League for Industrial Democracy, addressed the meeting and East said officers warned them to break it up to "prevent trouble." East said they asked the officers for protection and continued the rally, attended by 200 or 300 white and negro tenant farmers.

"After the meeting two carloads of men tried to stop us, but we came here in our attorney's office," East said. He spoke from the office of C. T. Carpenter, attorney for the union.

Senator's Aid Asked

Mitchell and Kester sent a telegram to United States Senator Edward P. Costigan, asking him to introduce a resolution demanding an inquiry.

Meantime United States District Attorney Fred A. Isgrig of Little Rock announced receipt of a letter from Attorney Carpenter, which inclosed a typewritten threat addressed to W. H. Stultz, union president, who was "run out of Marked Tree" yesterday.

Leaving behind his wife and six children, Stultz vanished last night after telling his family that four men had warned him to "get out of town or we will shoot your brains out and throw your body into the St. Francis River."

Mr. Isgrig said the threatening note was not a federal violation, but a violation of a state statute preventing "night riding" and was one for officials of Poinsett County to handle.

Fred H. Stafford, deputy prosecuting attorney for Poinsett County, said he was investigating the threats against Stultz. He added that he didn't anticipate any "bloodshed," but said that "if these outside agitators don't stay away from here there may be trouble."

Arkansas Planters Attack Tenants' Union

Civil Liberties Quarterly
April 1935

The struggle of the sharecroppers in eastern Arkansas to organize in the Southern Tenant Farmers Union, which has been going on for months, produces a constant succession of violence by planters' agents in breaking up meetings, assaults, threatened lynchings or shootings, and prosecutions in the courts.

The fight was reflected in the recent session of the Arkansas legislature, where a sedition bill, aimed both at Commonwealth College, nationally-known labor school in the western part of the state, and the leaders of the tenants' union, came close to passage. After going through the House, nationwide protest halted it in the Senate where in the closing days of the legislature it was beaten in committee. The State Federation of Labor and representatives of the A. F. of L. joined in opposing the bill.

Investigation of Commonwealth College by a legislative committee, aroused by participation of Commonwealth teachers and students in the sharecroppers' struggle, was a dud. Faced by criticism from all over the state and outside, the committee merely reported that the College 'needs watching." Nationally known educators enlisted by the Civil Liberties Union added their protest, widely publicized in the Arkansas papers—among them President W. A. Neilson of Smith College; Professor Vida D. Scudder of Wellesley; John L. Childs, Teachers College, New York; Henry Pratt Fairchild, New York.

The prosecution against Ward Rogers, ——Socialist and organizer for the union, for "anarchy," based upon a speech at a public meeting, has gone over to the fall, as have cases against Lucien Koch and Bob Reed of Commonwealth College.

C. T. Carpenter, sharecroppers' attorney of Marked Tree, who defended them, has been threatened. Armed men endeavored to take him from his home one midnight but were repulsed when Mr. Carpenter appeared at the door with a revolver. The home of the president of the union, W. H. Stultz, was dynamited and a Negro organizer nearly beaten to death. The home of A. B. Brookins, sixty-five year old Negro preacher and union organizer, was riddled with bullets. Armed bands ride about the country terrorizing the sharecroppers.

Norman Thomas, on a recent trip, was forcibly ejected from a meeting hall at Birdsong and the meeting dispersed. Roger Baldwin, who spent a day on a recent southern trip in going over the area to help organize legal defense, spoke without interference at several meetings, hastily organized.

Appeals to Governor Futrell for intervention met the response that the state has no money for investigation or police protection. Moves to get the Department of Agriculture at Washington to act on the ground that sharecroppers' rights are violated by evictions under the crop reduction contracts meet only the response that the Department has no power. A report of an investigator sent in by the Department has been suppressed, despite efforts of senators and congressmen to make it public.

Civil Liberties Quarterly
April 1935

A suit in the state courts brought by the Tenant Farmers Union and the Civil Liberties Union jointly, to test planters' rights to evict sharecroppers has just been decided adversely by the Arkansas State Supreme Court. An appeal will be sought in the U. S. Supreme Court.

Contributions for defense of the sharecroppers and for the pending litigation in the courts are solicited by the Civil Liberties Union, and by Norman Thomas on behalf of the Emergency Committee for Strikers Relief, 112 East 19th St., N. Y. C.

The Arkansas Legislature Shows Good Sense

DEMOCRATIC government, whether under republican or monarchical form, is government by public opinion, and it is cheering to record that it is still functioning in America. The Arkansas legislature, moved by protests from within and without the state, has killed both the Gooch bill and the "nuisance" bill which were introduced with the primary purpose of liquidating Commonwealth college and with the further purpose of making any form of radical or even semi-radical protest against present day conditions, illegal. Although Commonwealth is a small labor college, its call for aid against the legislative offensive was answered by people of such widely differing points of view as Jane Addams, H. L. Mencken, Alexander Meiklejohn, Mrs. Edward Bellamy, Bishop Francis J. McConnell, Eugene V. Sutherland, chairman of the Conference of Younger Churchmen of the South, Congressman Thomas R. Amlie, President Frank Graham, of the University of North Carolina, and Winifred L. Chappell, secretary of the Methodist federation for social service. In their replies to Commonwealth's appeal there was not only indignation and sound sense but humor. Mr. Mencken, for instance, invited the college to move to Maryland where he promised it free speech and offered to find radical professors for its faculty and himself to give a course in moral theology—whatever distinction there may be between that and ordinary theology. The college's victory was so complete that the senate not only killed the Gooch bill by 24 to 6 but allowed a senator to call the body to "disorder" and in a mock session passed it unanimously with pages, visitors and newspaper men voting. Not dignified, perhaps, but when one considers that death by ridicule sharply decreases the chances of resurrection, salutary. Meanwhile the legislative committee investigating the work of the college reported that it was radical, that it included communists in its student body, but that, in a time of dislocation, critical discussion of social issues was to be desired. All in all, quite a complete victory.

NIGHT RIDING CHARGES ARE FILED AGAINST 10

Two of Group Are Described as Union Officials

PARIS, Ark., June 13.—(AP)—Ten men, including two described as union officials, were bound over to the Logan County grand jury yesterday on charges of night riding as an outgrowth of the recent farm strike in the McClains Bottoms area, five miles north here.

The men were bound over following completion of a justice court hearing here today. They originally faced charges of rioting but the accusations were changed to night riding when the hearing opened yesterday.

R. L. Simms, described as a state organizer for the American Federation of Labor, and Fred Howell, described as a representative of the United Mine Workers of America, were two of the men held to the grand jury. Bonds for each of the 10 men were set at $500.

In addition to Simms and Howell, the men bound over were listed as Clifford Sewell, Nunnelley Hanes, J. D. Grady, M. D. Sewell, J. E. Talbert, Jack Beard, Jack Bogs and Floyd Watson.

Twelve defendants, including the 10 men bound over to the grand jury, are scheduled to appear before Chancery Judge J. E. Chambers of Danville tomorrow on charges of contempt. They are accused of violation of a court order which enjoined the men from "molesting, interfering with or intimidating" farm workers.

PICKERS END STRIKE, GET HIKE IN WAGES

MEMPHIS, Tenn., Oct. 3[illegible] (AP)—Claiming a "partial victory" in securing an "increase in wages of 25 to 50 per cent," the Southern Tenant Farmers' Union today announced an end to its strike in the cotton fields of eastern Arkansas.

H. L. Mitchell, secretary, said, the union demanded $1 per hundred pounds in its strike call. Mitchell said this demand was not successful, but that some planters were paying as low as 35 cents when the strike was called, and now "a fairly uniform price has been obtained on nearly every plantation, with the lowest price being offered 60 cents per hundred pounds and a high of 75 cents."

Labor - 1935

Unions, Strikes, etc.

Arkansas.

COME TO MARYLAND, MENCKEN TELLS KOCH

Offers Commonwealth College, New Liberties

PROTECTION IS REQUESTED

School Head Asks Futrell to Guard Against March of Citizens—Investigators Hear Story of Nude Strolls

From Little Rock Bureau of The Commercial Appeal

LITTLE ROCK, Feb. 22.—Commonwealth College, alleged incubator of radical labor agitators and co-eds who, witnesses told legislative probers, gambol gaily across its campus of nights clad only in moonlight, today was invited to come to "the free state of Maryland" by H. L. Mencken, erstwhile editor of The American Mercury.

Told in a telegram from Lucien Koch, Commonwealth director, that the college was threatened both by the Arkansas Legislature and a mob, Mencken cannonaded the following reply from Baltimore:

Guarantee Free Speech

"What is a Bolshevik college doing in Arkansas? Would a sensible man try to set up a Rotary Club or a Junior League in Russia. Bring it to the Maryland Free State and I'll give you an unconditional guarantee of free speech.

"You will be at liberty to teach spiritualism, vegetarianism, communism, calvanism or cannibalism, or all of them together. You will be next door to Washington and hence to the brain trust with its enormous reservoir of advanced thinkers.

"I engage to find 200 head of revolutionary young professors to help you and I engage to give a seminar in moral theology myself."

Not Yet Accepted

However pleasing this bright vista opened up by the Mencken diatribe, Director Koch (most of whose faculty has been jailed at one time or another for purported labor disturbances and who was recently beaten himself while addressing a mixed racial audience in Crittenden County) has not yet accepted.

In another telegram to Governor Futrell Koch called upon the chief executive to protect the college from a mob which was reputedly marching upon it. In this communication, Koch admitted he did not know the nature of the mob but had read of threats in the papers.

This telegram said: "Newspapers inform us of threatened raid and mob violence against Commonwealth College. Commonwealth is regularly incorporated under the laws of the state. Therefore, we respectfully call upon you for adequate protection against such acts. If same occur, we shall, through you, hold the state responsible for initiating violence, lawlessness through spreading false information."

Makes Telegram Public

Governor Futrell, declining comment, merely made the telegram public.

As the wires were being kept warm on this score, new barratry trials against nine college affiliates, including a woman, were begun at Fort Smith. All are changed with fomenting strikes among relief workers through spread of Communistic propaganda.

Meanwhile, the Arkansas legislative recess committee, probing charges of "red activities" at the college, already have heard testimony of Communistic teachings and alleged moral laxity on the part of both student body and faculty. It was a common sight, a caretaker of the college said, to see men and women students romping quite naked about the grounds.

Commonwealth College first entered the limelight when most of its faculty and many of its graduates began to take an active part in the landlord-sharecropper controversy in eastern Arkansas that led to an AAA investigation, the result of which tended to show alleged grievances of sharecroppers were greatly exaggerated.

It also was learned yesterday that Senator Huey Long had been appealed to by Commonwealth instructors and officials of the Southern Tenant Farmers' Union to take a hand in the muddle.

RACE, MUTUEL BILL SIGNED BY FUTRELL

Sport Legal in Arkansas After 25 Years

COMMISSION IS NAMED

House Adopts Resolution for Telephone Rate Investigation —Reds Hit by Sedition Bill Passage

From Little Rock Bureau of The Commercial Appeal

LITTLE ROCK, Feb. 16.—Horse racing and pari-mutuel betting became legal in Arkansas at 11:30 a.m. today as Governor Futrell signed the Hampton bill.

With the sport out of the outlaw class in the state for the first time in 25 years, the governor this afternoon named the following supervisory commission, one from each congressional district:

H. Highfill, Blytheville, first district; J. H. Graves, Judsonia, second; Col. C. F. Armstead, Fayetteville, third; Cy Cordell, Van Buren, fourth; Ed Gordon, Morrilton, fifth; Douglas Hotchkiss, Hot Springs, sixth, and Tom Compton, Prescott, seventh.

The commission will meet in the governor's office Monday morning for organization. A secretary who will receive $300 a month will be named. Speedy organization is necessary with the Oaklawn track at Hot Springs opening next Friday for an extended meet.

Ends Long Battle

The signature of the governor on the bill marked the end of a long fight by advocates of legalized racing. Racing bills have been considered in virtually every session of the Legislature for some years. During the Parnell administration, a bill was passed but vetoed by the governor.

The Hampton measure provides a $500 license fee to be paid by the track for each racing day; a four per cent "take" on the daily pari-mutuel total and a 10 per cent tax on admissions. Proceeds from the revenue will go to charitable institutions and an old age pension fund.

The bill was passed in the House, 55 to 44; in the Senate, 23 to 12.

Investigation of telephone rates in Arkansas was voted today by the House in adopting a resolution introduced by Eugene Hampton of Lee County.

Charge High Rate

The committee named to conduct the inquiry will include Mr. Hampton, H. K. Toney of Jefferson and Eugene Baker of Jackson.

The resolution, adopted after only a short argument, follows:

"Whereas, it is commonly stated that telephone rates in Arkansas, and deposits, are greatly in excess of those charged in other states and that said charges are exorbitant, and,

"Therefore, be it resolved that a committed of three be appointed by the speaker of the House to make a full and complete investigation of rates charged, and deposits demanded by telephone companies doing business in this state and make such recommendation to the House of Representatives as they may deem helpful to the people of the state of Arkansas."

In session three hours today, the House passed a bill to prescribe punishment for circulating seditious literature by a vote of 63 to 22. The measure, introduced by Gooch of Cross, will prevent the circulation of papers, cartoons or printed matter designed to overthrow peaceful government or an attack on the government.

Expressing alarm over present conditions among tenants in Eastern Arkansas, Ivy Crawford of Mississippi County urged adoption of the bill during debate. His comment on tenant conditions follows organization in Poinsett, Mississippi and Crittenden counties of the Southern Tenant Farmers' Union, members of which have been recently involved in several disturbances.

Reds Are Target

"The right of free speech is taken away by this bill," charged Raney of Woodruff. "Farmers should not be penalized for meeting and protesting certain conditions," he said, referring to a recent uprising in connection with relied administration in his county. "There are no Reds in Woodruff County."

"This bill backs up the contentions that we are not going to tolerate Reds," Christian of Yell said.

"There is nothing alarming about this bill," Campbell of Garland declared. "The first principle of good government is respect for officers of the law. Vote for the bill so the people will know they must have proper respect."

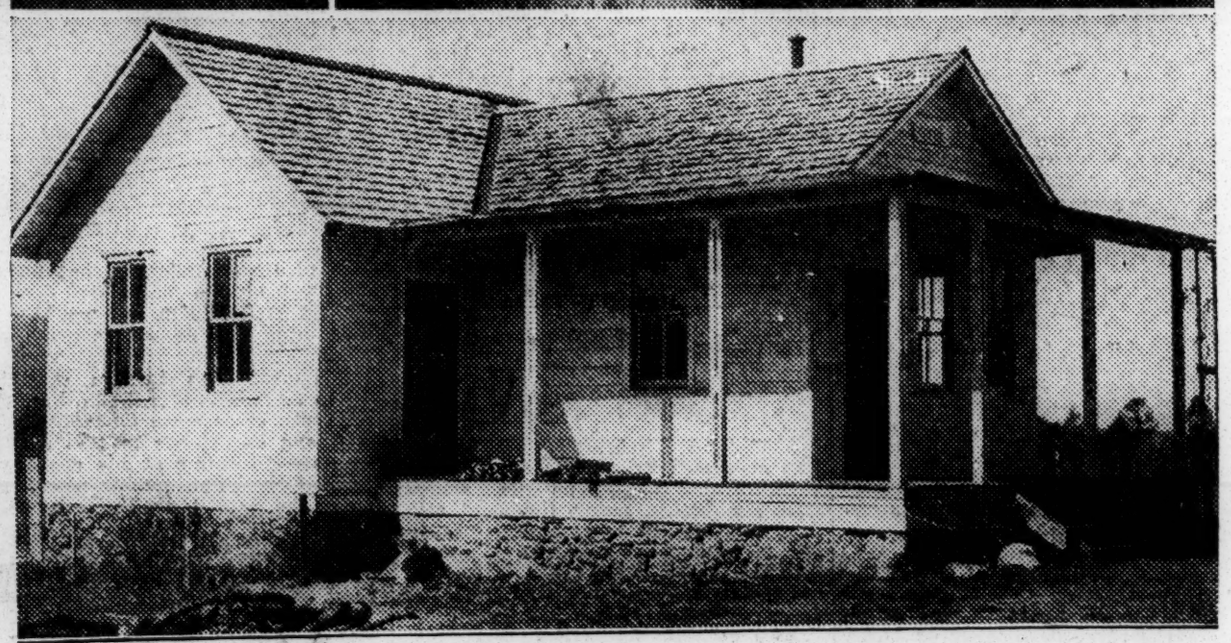
The bill provides for punishment for "engaging in crime, violence or any form of terrorism as a means of accomplishing political reform, or change in government."

For encouraging "any person to engage in any conduct with a view of overthrowing or destroying the government of the state or of the United States."

For encouraging "any person to commit an overt act with a view of bringing the government into public hatred or contempt."

Sedition, under the bill, will be a felony. Those convicted will be imprisoned for from five to 20 years. Where death results from any unlawful act forbidden in the bill, those found guilty will be subject to the death penalty.

Arkansas' Probe of Radical Labor College Threatens To Become State-Wide Inquiry



Charges that "un-American activities" are practiced in Commonwealth College at Mena, Ark., have caused state authorities to launch an investigation of the school. Lucient Koch, director of the school who frequently has been accused of radicalism, is shown at left above as he addressed a class in public speaking. Students in the college dining hall (upper right) are shown partaking of a typical campus meal —wheat bread, macaroni, stewed corn, boiled turnips, pumpkin pie and milk. The administration building of the college is shown below.—Associated Press photos.

LITTLE ROCK, Ark., Feb. 21.—(AP)—Arkansas' legislative investigation into alleged communistic teachings at Commonwealth College, Mena, Ark., tonight gave promise of becoming state-wide.

Legislator-investigators heard four new witnesses at an executive session and college leaders laid plans to seek rejection in the senate of a bill making possession of seditious literature a felony.

Chairman Marcus Miller, of the legislative committee, probing into the college's activities, broke his silence on the investigation and said:

"We have only scratched the surface. We have found so much that I anticipate we will be at work for some time. Before we are through, this investigation will be state-wide in scope."

Already a storm center of the general assembly's inquiry into the conduct of his school, Lucien Koch, 28-year-old director of Commonwealth, has publicly condemned the sedition bill, which was rushed through the house last week as an emergency measure just as the Commonwealth investigation got under way.

At Koch's request, the senate judiciary committee late today announced a public hearing on the bill for Tuesday night.

Meantime, the five legislators designated to investigate the Mena College, and whose inquiry has grown into an effort to plumb the reasons for economic unrest in the state, resumed its sessions behind closed doors.

Two of the witnesses were subpoenaed and two were described as volunteers, but Chairman Miller declined to discloes their names.

Violent demonstrations in east Arkansas counties where share croppers have formed unions, and agitation in western Arkansas for strikes on relief projects which brought a temporary shutdown of relief in one county, prompted the legislative investigation. Authorities and students of Commonwealth, including Koch, were prominently identified in both movements.

Two men, one of them a Commonwealth graduate, were convicted of anarchy and a score others charged with barratry.

The current issue of the Commonwealth College Fortnightly announced formation on the campus of "a united front action committee to bring about united action on specific issues and struggles that arise in the state."

Other purposes were described as co-operation with the tenant farmers union, the upbuilding of unemployed organizations, and "to build revolutionary student and teacher organizations in the colleges of the state."

PROBE OF ARKANSAS COLLEGE CONTINUES

More Witnesses Summoned To Mena By Legislative Committee

LITTLE ROCK, ARK., Feb. 25.—(AP)—Additional witnesses from Mena, Ark., seat of Commonwealth Labor College, tonight were summoned to testify before the legislative committee investigating alleged communist teachings at the college and Committee Chairman Marcus Miller indicated a recommendation respecting the school might be made this week.

As in the case of former sessions in the capital, the committee declined to name those asked to appear. All testimony taken since the committee was named 10 days ago has been kept secret.

"It is possible we may conclude the investigation this week and make a report and recommendation to the legislature, possibly Thursday," said Miller.

He was reticent about reports his committee might ask for a broadened authority to inquire into all alleged radical activity in the State.

Senator Alfred Featherston, of Pike, today proposed in the Senate that Congress be asked to "take cognizance" of Commonwealth "and other institutions which may affect national prosperity and endanger even the existence of national government."

Later, he said the resolution was offered "in a spirit of levity."

"My proposal was that Congress might regulate these schools by licensing them for revenue on the theory that what cannot be controlled should be legalized and taxed," he said.

He said he believed it "impossible to suppress the thoughts of the pupils and faculty of Commonwealth College and other similar institutions suspected of teaching and harboring evil and dangerous doctrines and thoughts, including ideas, imagination and theories."

With the statement, "I don't tell lies," the Rev. Ashton B. Jones, of Atlanta, Ga., today left the western Arkansas area where he charged he was seized, mistreated and seriously threatened while "observing" conditions attending a threatened relief strike in Sebasian County.

The agitation for strike was among the things which the Commonwealth investigating committee inquired into.

Jones's statement was contained in a wire to Mayor J. K. Jordan, of Fort Smith, who called Jones "a big liar" when the self-described "unemployed preacher" claimed he had been forcibly taken away from Fort Smith by unidentified men.

The minister came to Texarkana last night and later left for Ilano Cooperative Colony in North Louisiana, announcing he was on his way to New Orleans and South America.

"I'm just an unemployed preacher who failed to convince a Fort Smith citizens committee that I was in no way connected with any communistic movement," said Jones. "I have no ill feeling for my abductors; I've said prayers for them each night."

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Arkansas

MENA COLLEGE HEAD HITS SEDITION BILL

Commercial Appeal

Gets Arkansas Senate to Hold Public Hearing

2-22-35

HOUSE PROBE EXTENDED

Memphis,

Witnesses Heard in Activities of School; Investigation May Be Enlarged to Include All of State

By The Associated Press

LITTLE ROCK, Feb. 21.—Legislative investigators of alleged Communist teachings at Commonwealth College, Mena, tonight heard four new witnesses in an executive session as college authorities laid plans for seeking rejection in the Senate of a House bill making possession of seditious literature a felony.

Already a storm center of the General Assembly's inquiry into the conduct of his school, Lucien Koch, 28-year-old director of Commonwealth, publicly condemned the sedition bill, which was rushed through the House last week as an emergency measure just as the Commonwealth investigation got under way.

Hearing Granted

At Koch's request, the Senate judiciary committee late today announced a public hearing on the bill for Tuesday night.

Meantime, the five legislators designated to investigate the Mena College, and whose inquiry has grown into an effort to plumb the reasons for economic unrest in the state, resumed its sessions behind closed doors.

Two of the witnesses were subpoenaed and two were described as volunteers, but Chairmar Marcus Miller of Polk County declined to disclose their names.

Breaking his consistent silence on the investigation, however, he commented:

"We have only scratched the surface. We have found so much that I anticipate we will be at work for some time. Before we are through, this investigation will be state-wide in scope."

Identified With Movements

Violent demonstrations in East Arkansas counties where sharecroppers have formed unions, and agitation in western Arkansas for strikes on relief projects which brought a temporary shutdown of relief in one county, prompted the legislative investigation. Authorities and students of Commonwealth, including Koch, were prominently identified in both movements.

Two men, one of them a Commonwealth graduate, were convicted of anarchy and a score others charged with barratry.

The current issue of the Commonwealth College Fortnightly announced formation on the campus of "a united front action committee to bring about united action on specific issues and struggles that arise in the state."

Other purposes were described as co-operation with the tenant farmers' union, the upbuilding of unemployed organizations and "to build revolutionary student and teacher organizations in the colleges of the state."

MENA SCHOOL NURSES RED TENETS, CHARGE

Commercial Appeal

Teaches and Fosters Communism, Beck Says

2-20-35

LEGISLATOR AT INQUIRY

Memphis,

Commonwealth Director Objects to Sedition Bill—Plans Appeal to Congress on "Liberties, Rights"

By The Associated Press

LITTLE ROCK, Ark., Feb. 19.—A state representative who availed himself of his legislative privilege to sit in on all executive sessions of the Assembly committee investigating Commonwealth College of Mena, Ark., charged in a formal statement tonight that "this college not only teaches Communism and radicalism, but fosters it."

Representative Marcus Miller of Polk, chairman of the investigating committee, today conferred with Governor Futrell on testimony obtained by the committee during the last five days, but in common with his inquiry colleagues declined to comment publicly on what the testimony disclosed.

However, Representative J. O. E. Beck of Crittenden County, not a member of the committee, but who has attended all its sessions, assailed "the activities of the director, the teachers and the students of Commonwealth College in the affairs of the people of Crittenden County."

All Against Government

Crittenden was recently one of the trouble centers in the eastern Arkansas controversy between sharecroppers and plantation owners and it was in that county that Director Lucien Koch of Commonwealth College was arrested and charged with barratry while leading a movement for a tenant union. He was later acquitted of the charge.

"It is my opinion," said Representative Beck, "that this college not only teaches Communism and radicalism, but fosters it. There was not one witness examined who stated that he was in favor of retaining our democratic system of government. . . .

"I personally resent their intervention in the affairs of the God-fearing, true, red-blooded Americans of Crittenden County."

Director Koch visited the statehouse today in behalf of his petition for a public hearing on a House bill pending in the Senate, to make possession of seditious literature a felony. He was told by Lieut. Gov. Lee Cazort that he would be given such a hearing.

Writes Senators

Koch said he had written Senators Robinson, Caraway, Norris, Borah and Frazier, asking that a congressional investigation be made of the Arkansas Legislature's "infringement on the civil liberties of schools of the state." The 28-year-old college director said he "didn't expect to see the school closed as it would mark the death of civil liberties in the south."

Chairman Marcus Miller of the investigation committee said "progress has been made" following the first session of the investigators here, but added that the inquiry has not been concluded. Witnesses are pledged to silence regarding testimony before the committee.

Appearance before the legislators of Floyd Sharp, ERA executive secretary for Arkansas, was attributed to the part taken by Koch in the sharecropper controversy and the participation of his brother, Raymond, in the FERA workers' strike at Fort Smith.

Dozens of messages, dealing with the inquiry, continued to pour in on the Legislature. Among these were protests from the American Civil Liberties Union at New York and the Farmers' National Committee for action at Philadelphia.

A communication from the Arkansas Federation of Labor and four transportation brotherhoods in the state disclaimed any connection with "any other labor organization or union in existence in the state that is not recognized by the American Federation of Labor," and said:

"The American Federation of Labor its affiliated and associated organizations are the pioneers in opposition to Communism and have consistently and determinedly opposed the destructive principles advocated by the promoters of this doctrine."

COMMUNISM PROBE TURNS TO FARM AREA

Commercial Appeal

Arkansas Legislators Seek Sharecropper Testimony

2-19-35

COLLEGE HEAD INVOLVED

Memphis,

Relation Between Commonwealth Labor School, Disputes in Eastern Part of the State To Be Investigated

By United Press

LITTLE ROCK, Feb. 18.—A committee of sttae legislators met seeretly tonight to complete an investigation of Commonwealth College at Mena, Ark., whose Communistic teachings have aroused the natives of the Ozark foothalls.

The committee is seeking to determing what relation, if any, existed between the activities of the college and the recent demonstrations attending disputes between sharecroppers and landlords in Eastern Arkansas. Citizens from that section were here to testify. Place of the meeting was not revealed.

The college, directed by 27-year-old Lucien Koch, is advertised as "a non-factional institution for training young men and women for active service in some militant organization of the labor movement."

Koch Beaten

Faculty and students have been active in recent labor trobules. Koch has been jailed for addressing meetings of the Southern Tenat Farmers Union, and once he reported that a gang of men kidnaped him from a negro church where he was addressing sharecroppeds, and beat him with gun butts.

The college has about 50 students from the United States and several foreign nations. They pol their resources and sustain teh college by raising farm products.

The investigation begun Saturday by a joint committee from the state House and Senate. Witnesses, including an employe of the school and people who live nearby, complained of alleged free love debauchery among men and women students.

Committeemen indicated privately that they considered the college a menace to the peace of organized government.

May Close School

It was reported they might recommend to the Legislature that the school be restrained, or closed. Other suggested courses of action were: To recommend that federal court investigate the college for evidence that federal laws against inciting revolution had been violated; or that the oPstoffice Department investigate whether mails had been used illegally for agitation.

The legislators encountered defiance when they tried to question instructors and students at the college. Many admitted boldly that they were not opposed to using militant force to overthrow the entire economic system.

Citizen witnesses told reporters that the school was "a nuisance and a menace to the community." It was understood that residents of Polk and Mena counties had planned to form a secret organization to drive the schol away, before the Legislature intervened.

ASHTON B. JONES WARNED TO CEASE 'RED' ACTIVITIES

Constitution 2-24-35

Congregational Minister Said He Was Threatened With Death After Visiting Preacher in Prison for Barratry.

Atlanta, Ga.

JONES LEFT HERE ON LECTURE TOUR

Clergyman Had Resided Here for Several Years, But Had Held No Pastorate in Local Church.

DEQUEEN, Ark., Feb. 23.—(AP)—A man giving the name of the Rev. Ashton B. Jones, of Atlanta, told newspapermen here tonight he had been kidnaped, beaten and threatened with death at Fort Smith Thursday night by a group of men he said warned him to cease "communistic activities" which he denied.

Jones said he went to Fort Smith to visit Claude C. Williams, a former Presbyterian minister of Paris, Ark., who today was sentenced to a 90-day jail term for barratry growing out of the recent dissension among relief workers at Fort Smith.

"After leaving the jail and going to my hotel room," Jones said, "I was visited by Mayor J. D. Jordan, of Fort Smith, who warned me against any agitation. I told him I was not a communist, and had no sympathy with communism. A short time later a group of men entered my room, took me to Mansfield and left me at a rooming house. About 1 a. m., they came back and took me out into the country, threatened me, but left me at Charleston.

Hood Put Over Head.

"Some time later, four men put a hood over my head and took me 12 miles north of Van Buren, where they placed a rope around my neck and asked me if I had any statement to make. They said, 'This will be your last statement.' After a while, they beat me, and put the hood back over my head and ordered me to leave it there for 30 minutes, until they made their escape."

Jones said the leader of the party cursed him and accused him of fomenting the trouble at Fort Smith. He denied having had anything to do with the relief workers' dissension, but said he merely sought to visit Williams and Horace Bryan, a young Commonwealth College student. Bryan also was sentenced at Fort Smith, on a charge of anarchy.

An investigation of alleged "un-American" activities of Commonwealth College, at Mena, Ark., is now under way by a joint legislative committee.

Went to Van Buren.

After being released by the men north of Van Buren, Jones said, he made his way to Van Buren and was given breakfast by the jailer, Sam Marlar. He said he attempted to enlist the aid of a Methodist minister at Van Buren in obtaining his clothing left at Mansfield, but that the unnamed minister declined.

"He seemed afraid to help me," said Jones, "because of the feeling of the people at Fort Smith." Fort Smith is just across the river from Van Buren.

Jones had letters of recommendation bearing the names of Senator Walter George, of Georgia, and Governor Eugene Talmadge, and citizens of Georgia.

Jones said he was now traveling about investigating conditions, and had been without a pastorate since leaving a community church at McConnellsville, N. Y., near Syracuse.

He said his wife and two children live at 2[illegible] Third street, Atlanta, and his mother, Mrs. Florence Jones, at 959 Highland terrace, Atlanta.

"If you desire to find out about me," he said, "just communicate with Mayor James Key, of Atlanta, or Dr Witherspoon Dodge, the minister who ordained me."

"I went to Fort Smith just to investigate conditions there," said Jones. "I am not connected with Commonwealth College. I visited the school about a week ago, just as I have visited Yale, Harvard and other schools."

Denies He Is Communist.

Jones told Dequeen, Ark., newspapermen a group of men at Fort Smith had abducted him and threatened him with death after warning him to cease "communistic activities" which he denied.

"There's just no truth in what he said," said Mayor Jordan. "Nobody ever laid a hand on him."

The mayor said that after he learned Jones had come to Fort Smith and visited at the jail with Claude C. Williams, ousted Presbyterian minister held on barratry charges for activities in relief labor discontent here, he went to Jones' hotel room and talked with him.

"I went to him and told him of the tense feeling in Fort Smith and advised him against making any speeches here," declared Jordan. "Everything was friendly."

"Later, we received reports that a group had gone to Jones and taken him to Mansfield and left him in a good rooming house there.

Denies Jones' Statement

"There's just no truth in what he said about the beating, threats and kidnaping. I had the police department and sheriff's office investigate thoroughly after reports of the affair were received. I learned on good authority and positively that they did not hurt him."

Mayor Jordan said he also had received reports, unverified, that after Jones was taken to Mansfield, he then proceeded directly to Commonwealth College, under fire in Arkansas' economic upheavals.

"I didn't know a thing about the group connected with the charges Jones made," Jordan added. "After a thorough investigation, I do know that no threats or bodily harm was done to him. There wasn't a hand laid on him. He's just a big liar."

LEFT AFTER CHRISTMAS TO MAKE LECTURE TOUR

Ashton B. Jones was recalled here Saturday night by a well known Congregational minister, who said Jones left Atlanta shortly after Christmas on a lecture tour. He has resided in Atlanta for several years, but without having held a pastorate in this city. Previously he is said to have been pastor of a New York city church.

He toured parts of Europe last year, and is known as a traveler. He lectured frequently to non-sectarian audiences.

COLLEGE GRADUATE GUILTY OF ANARCHY

Constitution

Relief Workers Return To Jobs As Strike Leader Is Given Six-Month Sentence

2-20-35

FORT SMITH, ARK., Feb. 19.—(AP)—While Sebastian County relief employes trekked back to work under the protective wing of peace officers and deputized citizens, Horace Bryan, 25-year-old graduate of Commonwealth College and a leader in a movement for strike among relief workmen today was convicted of anarchy.

Municipal Judge James A. Gallaher speedily announced his decision in the case, fined Bryan $500 and ordered him imprisoned for six months. The defendant, accused of "acts encouraging personal or property injury or overthrow of government," indicated he would appeal.

He was rushed back to the county jail to await prosecution on charges of barratry.

Pledged protection from molestation by agitators, seeking a general strike against reduced relief wages, a majority of the 3,600 relief workmen in the county were reported back on the job as officers and volunteer deputies stood by.

The projects were resumed after a shutdown six days ago. Relief authorities ordered them closed last Wednesday because of "continued molestation of workers" by strike sympathizers.

Sheriff Jack Pace, busy supervising the officers and deputies assigned to projects to prevent intimidation said:

"There was no trouble at all. And we do not expect any."

Relief employes went back to work at the same pay and under the same conditions existing immediately before the strike movement broke out three weeks ago. The only visible signs of dissension among the workmen was the gathering of a number of former relief beneficiaries about the courthouse. County Administrator Frank P. Kirk said all but a small percentage, however, has resumed work.

Taken into custody when police broke up a planned demonstration protest of the existing relief wage scale, eight persons, charged with barratry, are to be tried Friday before Judge Gallaher.

They are Bryan, Claude C. Williams, former Paris, Ark., minister; the Rev. T. A. Reed, South Fort Smith minister; Mrs. Sarah Goff, George Edwards, Telton Sanders, Ambers Gilbert and William B. Fields.

'ANTI-RED' HANDBILLS FLOOD LITTLE ROCK

Constitution 2-23-35

LITTLE ROCK, Ark., Feb. 22.—(AP)—Calling of new barratry trials in the western section of the state, a charge that Commonwealth Labor College had been threatened with mob violence, and quips from Baltimore's Mencken today enlivened Arkansas' inquiry into communism.

As the legislative committee named to inquire into alleged radical teachings at Commonwealth recessed for the week-end, anonymous handbills, purporting to expose a "red network" in the United States flooded the capitol.

The handbills, passed out by boys, were directed against American Civil Liberties Union, the Garland fund, the International Labor Defense, the League for Industrial Democracy, Pioneer Youth of America, The Daily Worker, Union Theological Seminary, and Commonwealth College.

Lucien Koch, Commonwealth director, appealed to Governor Marion Futrell for "protection" of his campus against alleged violent threats.

Governor Futrell declined to comment.

APPEAL OF ROGERS HEARD NEXT WEEK

Commercial Appeal

Anarchy Case in Poinsett Criminal Court

2-23-35

MARKED TREE, Ark., Feb. 22.—Four murder cases and the appeal of Ward H. Rogers, former FERA worker and socialist organizer, from an anarchy conviction will come before the Poinsett County criminal court in session here next week.

Rogers, arrested following his activities in behalf of the sharecroppers union, was fined $500 and given a six months sentence. His appeal from this and from a conviction in Lepanto will be heard at this term.

Other cases are: Bill Peeler, charged with the murder of Cecil Nations at a dance near Truman on April 24; J. B. Bell, charged with killing Lewis Jones; M. J. and Marvin Webb, charged with the murder of H. F. Poland at a dance last year at Deckersville, and Jim Barker of Lepanto, charged with involuntary manslaughter in connection with the death of Williams Means whom he is alleged to have struck and killed while driving an automobile.

G. W. Welch, Marked Tree, and Ed Cook, Lepanto, will also be tried on highway robbery charges.

Arkansas.

Labor-1935

Unions, Strikes, etc.

MORE ARE SUMMONED IN RED INVESTIGATION

Commercial Appeal

Names of Those Called From Mena Kept Secret

2-26-35

EXPECT REPORT THIS WEEK

Memphis Press-Scimitar

Committee Chairman Says End of Commonwealth College Probe Is Near — Preacher Leaves Western Arkansas

By The Associated Press

LITTLE ROCK, Feb. 25.—Additional witnesses from Mena, Ark., seat of Commonwealth Labor College, tonight were summoned to testify before the legislative committee investigating alleged Communist teachings at the college, and Committee Chairman Marcus Miller indicated a recommendation respecting the school might be made this week.

As in the case of former sessions in the capital, the committee declined to name those asked to appear. All testimony taken since the committee was named 10 days ago has been kept secret.

"It is possible we may conclude the investigation this week and make a report and recommendation to the Legislature, possibly by Thursday," said Miller.

Miller Reticent

He was reticent about reports his committee might ask for a broadened authority to inquire into all alleged radical activity in the state, indicating that such a request might be held in abeyance in view of the press of legislative work as the session draws toward a close.

Senator Alfred Featherston of Pike today proposed in the Senate that Congress be asked to "take cognizance" of Commonwealth "and other institutions which may affect national prosperity and endanger even the existence of national government."

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"My proposal was that Congress might regulate these schools by licensing them for revenue on the theory that what can not be controlled should be legalized and taxed," he said. "This General Assembly has gone on record as favoring the licensing and regulation of those evils which its law enforcement officers have failed to annihilate, namely on race horses, manufacture and sale of wine, and the sale and manufacture of whisky."

He said he believed it "impossible to suppress the thoughts of the pupils and faculty of Commonwealth College and other similar institutions suspected of teaching and harboring evil and dangerous doctrines and thoughts, including ideas imagination and theories."

"Don't Tell Lies"

With the statement, "I don't tell lies," the Rev. Ashton B. Jones, of Atlanta, Ga., today left the Western Arkansas area, where he charged he was seized, mistreated and seriously threatened while "observing" conditions attending a threatened relief strike in Sebastian County.

The agitation for a strike was among the things which the Commonwealth investigating committee inquired into.

Jones' statement was contained in a wire to Mayor J. K. Jordan, of Fort Smith, who called Jones "a big liar" when the self-described "unemployed preacher" claimed he had been forcibly taken away from Fort Smith by unidentified men.

The minister came to Texarkana last night and later left for Llano Co-operative Colony in North Louisiana, announcing he was on his way to New Orleans and South America.

"I'm just an unemployed preacher who failed to convince a Fort Smith citizens' committee that I was in no way conected with any Commuistic movement," said Jones. "I have no ill feeling for my abductors; I've said prayers for them each night."

SEDITION LAW OKEHED BY EAST ARKANSAS

Commercial Appeal

Civic Leaders Hold Conference At Wynne

2-28-35

WANT TRUE CONDITIONS

Memphis Press-Scimitar

Report of Labor Situation Unfair To Plantation Owners and Overdrawn, Speaker Declares

Special to The Commercial Appeal

WYNNE, Ark., Feb. 27.—Urging individual support of the sedition law, pending in the Arkansas Assembly as a result of farm labor strife of national scope in Eastern Arkansas, a group of landlords and business men today took steps to cleanse the state of alleged false labor propaganda.

The meeting, sponsored by the Business Men's Club of Wynne, reached a high point with the appointment of two plantation owners, John H. Mann of Marianna, and Ed Hollan of Wynne, as co-chairmen of a delegation which will seek to have a complete study of the landlord-tenant situation in Arkansas made by the press.

"By exaggerated newspaper accounts of the sharecroppers' plight in the state, Arkansas' fair name is being pulled in the mud," Mr. Hollan, chairman of the program committee, said. "The labor situation in Arkansas is no worse than in other states."

Radical Is At Head

The Rev. Dan Patch, Baptist and president of the club, backed Mr. Hollan's stand in declaring that an audit made by the AAA in the South shows that only five per cent of the plantation owners are regarded as dishonest.

"I've said from my pulpit that I doubt whether the percentage of honest men in all trades will run as high as 95 per cent," the preacher-president remarked. "I believe the state has been grossly wronged by unfair press reports."

Opponents to the proposed sedition bill, introduced by Representative S. A. Gooch, are being led by 28-year-old Lucien Koch, director of Commonwealth College, about whom controversy has centered in connection with a college investigation.

The sedition bill was proposed as an emergency measure following the flareup of the Eastern Arkansas sharecropper controversy in which Koch played a prominent part in a movement to organize tenants. The bill proposes to make possession and distribution of seditious literature a felony.

Ask Congress' View

Congress would be asked to "take cognizance" of Commonwealth "and other institutions which may affect national prosperity and endanger even the existence of national government," under a resolution proposed in the Senate by Alfred Featherston of Pike County.

Among those attending the meeting, which followed the regular weekly club luncheon, were Philip Underwood, Max Ostner and C. G. Bird of Marianna; A. C. Spillings of Marked Tree; Donald Murray of Jonesboro.

Sammy Greenfield, A. J. Jackson, Robert Fisher, Lloyd Coll, E. L. Wallin, P. A. Peterson, Joe Greenfield, I. M. Steinberg, Mitchell Drexler, C. F. Warren, Roy Callison, W. G. Robertson, Roy L. Davis, J. H. Harris, Sol Myer, H. K. Barwick, Jr., Walter Killough, Clifford Hillard, Frank Jones, Albert Horner, W. R. Cook, Dr. Carl Crain, L. E. Daniels, H. E. Proctor and Ronald Hughes of Wynne.

FARM TENANT SURVEY PLANNED IN ARKANSAS

Commercial Appeal

Seek Results Of AAA Program In Six Counties

3-15-35

LITTLE ROCK, March 14.—(AP)—A survey in six selected Arkansas counties to determine the number of tenant farmers displaced because of the AAA reduction program will be made by the FERA and the AAA, it was announced here today at a meeting of officials with W. R. Dyess, state FERA director.

Attending were: C. W. Davis, of the AAA; Dr. C. O. Brannen, acting dean of the University of Arkansas College of Agriculture; T. Roy Reid, assistant extension service director; T. D. Lee, FERA rural director of New Orleans, and E. B. Whitaker, director of rural activities for the ERA in Arkansas.

Four of the counties selected are: Poinsett, St. Francis, Lee and White.

MARKED TREE GROUP OBTAINS JOBS FOR 15

Commercial Appeal

Investigating the Request of Planter for Eight Negroes

3-14-35

Fifteen more applications for jobs were received and 15 more jobless put to work by the Marked Tree (Ark.) Co-operative Association Saturday, making a total of 145 applications and 108 persons given temporary or permanent jobs, the Rev. J. Abner Sage, Methodist minister and secretary of the association, said Saturday.

The applications include several transients, who will not be considered, as the association proposes to help only the bona fide residents of the immediate Marked Tree trade territory. The applications also include several cases of extreme distress, and these families are being given food.

A letter has been received from a southern Arkansas planter asking that eight negro farm hands be sent to him, and the association is investigating the request. If the jobs are as described, the negroes will be sent.

Mr. Sage said that inquiries have been received from several Arkansas towns as to the organization and operation of the Marked Tree Co-operative Association.

MENA COLLEGE CHECK AIM OF LEGISLATORS

Commercial Appeal

Memphis Socialists Prepare to Greet Thomas

3-12-35

FREE THOUGHT IS UPHELD

Memphis Press-Scimitar

Committee Says Commonwealth School Has Been "Agitational Rather Than Educational" —Injunction Bill Withdrawn

A "close check" on Commonwealth College, Mena, Ark., was recommended by an Arkansas legislative committee yesterday as Memphis Socialists made ready to welcome Norman Thomas, national socialist leader, expected to arrive here today.

The legislative committee, which has been investigating the affairs of the college, declared that liberal thought was an American right, but that "activities tending to violence force and bloodshed" should be met with prosecution under existing laws.

Supports Union

The college has been lending active support to the Southern Tenant Farmers Union and has furnished the union with organizers.

Upholding the principles of free speech and free thought, the committee report said that Commonwealth College is "agitational rather than educational and has become partisan on the side of all radical movements."

Filing of an investigation report was followed by withdrawal from the House of Representatives of a bill to make court injunctions the state's weapon in fighting communistic activity.

The Commonwealth investigators

found that the college as an institution had only an academic interest in extreme liberalism, but added that some of its 40 students and 10 teachers "are committed to the communist theory, and their militant activities in fostering, leading and agitating dissention by strikes and otherwise over the state are extremely radical and close to the borderline."

ARREST OF AGITATORS TO BE RECOMMENDED

College Investigators Prepare Report

PRESENT LAWS ARE GOOD

Arkansas Legislators Will Report Communism and Socialism Rampant in Commonwealth School

From Little Rock Bureau of The Commercial Appeal

LITTLE ROCK, Ark., March 9.—Recommendations that a sharp eye be kept on the activities of Commonwealth College with prosecution of agitators if necessary, under the present criminal laws of Arkansas, will be made by a joint legislative committee which investigated the college, it was understood tonight.

The committee is expected to present its voluminous report Monday or Tuesday, with its recommendation at the same time.

A bill has been offered by two members of the investigation committee—Representatives Miller and Milwee—to make the teaching of Communism or the overthrow of the government a nuisance abatable by chancery court injunction on the petition of five citizens or the attorney general or any prosecuting attorney.

Returned to Home

At a hearing last night, the House judiciary committee sent the bill back to the House without recommendation.

The investigating committee's report, it is reported, will say that agitation practices are followed at the labor college near Mena, with students and school leaders present at all disorders. The report will further say that they stir up strife between classes; that a Communistic and Socialistic element is present on the campus.

That the college leaders have fostered dissatisfaction among tenants in East Arkansas and hidden behind the cloak of the constitutional right of free speech will be offered in the report, it was further understood.

Many of the students are extremely radical, the committee says it found out, and that there are some who don't believe in God; that they believe the government of Soviet Russia is the only proper government.

Help for a Victim of Arkansas Justice

EDITOR THE CHRISTIAN CENTURY:

SIR: The Rev. Claude C. Williams, in whose behalf the Fellowship of Socialist Christians made an appeal to Christian Century readers some time ago, has been convicted to a 90-day jail term by a court in Arkansas on the charge of barratry (a barrater is one who incites and maintains suits and quarrels, a disturber of the peace and a spreader of rumor and calumnies). Mr. Williams has been active in organizing the share-croppers and other workers in Arkansas, and is a victim of the reactionary influences who seem to control the courts of Arkansas. He was convicted in five minutes without a defense witness being heard.

Howard Kester has already appealed to the readers of The Christian Century for help for the various young men who, in the process of organizing the share-croppers, have become victims of Arkansas justice. The Fellowship of Socialist Christians has assumed special responsibility for the work of Claude Williams and has given him monthly support. But more help is needed. We feel that he has a special claim on all those who are interested in the application of Christianity to problems of social justice. Checks may be sent either to our treasurer, Mrs. Evelyn O. Young, 157 Montague Street, Brooklyn, New York, or to Mrs. Claude C. Williams, 1200 North 13th Street, Fort Smith, Arkansas.

3041 Broadway,
New York city.

REINHOLD NIEBUHR.

WE ARE GLAD to report that the bill passed by the Arkansas Assembly making sedition a felony and making almost any liberal activity seditious was not passed by the Senate. And since the legislature has now adjourned, the Southern Tenant Farmers' Union and its friends are for the time being free of the threat of legal repression. Illegal repression, however, continues unabated. On March 15, in an Arkansas town bearing the happy name of Birdsong, Norman Thomas was [illegible] by a mob of planters, forcibly prevented from addressing a meeting of unhappy share-croppers, and with his party escorted out of the county. Since then, one of the union leaders has been warned to leave his home county within twenty-four hours and two others have been threatened with lynching, while a preacher who has dared to befriend the share-croppers has been arrested and his home fired upon by a gang of planter vigilantes. Meanwhile reports of the misery of the Southern tenant farmer come in from every side. The report of the Committee on Minority Groups in the Economic Recovery, financed by the Rosenwald Fund, after a year's study in the Southern states, is particularly striking. Against an average of 42 per cent for the entire country, runs the report, 58 per cent of the farms in the cotton states are worked by tenants; the committee finds that these tenants exist on a lower economic level than the European peasant; and it foresees as inevitable the complete reformation of the South's land-tenure system. In passing, the report has this to say of the government's present ironic contribution to the share-cropper's fate:

> The furnishing of tenants with seed and tools and food and clothing at the traditional margin of from 20 to 30 per cent above cash prices has taken on a new aspect since it has become possible for landowners to secure their needed funds from the Farm Credit Administration. . . . As a result the government finds itself an involuntary, if not unsuspecting, partner in usury.

FARMERS URGED TO REMAIN PEACEFUL

Arkansas Attorney Asks Union To Abstain From All Public Rallies

MARKED TREE, ARK., March 28—(AP)—C. T. Carpenter, attorney for the Southern Tenant Farmers Union, who reported that his front porch was fired upon by a group of men Tuesday night, today distributed circulars among sharecroppers in the union advising them to abstain from public meetings.

"Any unlawful act, even in the defense of your right, might cause bloodshed," the circular, carrying Carpenter's name, said. "This would bring all efforts in your behalf into disrepute and defeat the very purpose for which you are striving."

Carpenter has been furnished a guard by Sheriff J. D. Dubard since Tuesday night's incident in what Socialist leaders of the sharecropper unionization movement have described as a "reign of terror" against sharecropper organizers.

Carpenter reported that several carloads of men drove up opposite his house and that four or five men came on his front porch and sought to have him step outside, firing twice at a porch light after he refused. Carpenter has acted for the union as attorney in a number of cases. He describes himself as a "straight Democrat" and a strong supporter of President Roosevelt. He says he is not a member of the Socialist party.

Carpenter also advised the sharecroppers who are out of work, through evictions or otherwise, to seek work from any source, which would include the Marked Tree Cooperative Association, formed by Poinsett County planters to relieve unemployment.

"I advise those out of employment to seek employment and take any honorable work that will help you support yourselves and families," he said. "I further advise that for the present you abstain from public meetings of the union."

H. L. Mitchell, secretary of the union, recently advised sharecroppers not to join the cooperative association, terming it a "company union."

Carpenter's circular said "it is a source of joy that you have committed no unlawful act since your organization started, and that you have shown great restraint and good citizenship under trying conditions," and added, "I earnestly request that you maintain your fine record for obedience to law and avoid even the appearance of wrong-doing."

Labor - 1935

Brotherhood of Captive Mine Workers.

Unions, Strikes, etc.

Stop! Look! Listen!

TO THE PUBLIC:

As a charter member of the Brotherhood of Captive Mine Workers, I have been instructed by the "parent unit" to inform you as to some of the things this organization stands for and some of its accomplishments.

The brotherhood was organized June 13, 1934 at Pratt City with 12 charter members. Today it has a unit at each of the coal and ore mines of the Tennessee Coal Iron & Railroad Company with a membership of approximately 3000. Every member of the brotherhood is an active employee of the company. The brotherhood does not go outside and get the idle, the WPA workers, farmers and bootleggers—and what have you to build up its membership?

We do not believe its right to ask the company to deal with men in regard to wages, hours and working conditions who have never worked for or had any connection whatsoever with the company. The brotherhood does not go out in great numbers and by the application of violence force men into the organization. We believe that men so forced, will themselves, be the undoing of any organization. men who are whipped and forced to join any organization will be a millstone around its neck.

Where is this dreedom and liberty that we hear so much about if men are to be forced to join and pay money into a thing against their will.

The brotherhood does not believe in strikes but has from its birth advocated arbitration and we find the coal operators of Alabama in the same frame of mind. No man can dispute the fairness of arbitration.

The brotherhood is a genuine labor organization with charter constitution and by-laws. Each unit holds a regular meeting every week and company officials are not permitted to attend. In fact the meetings are held behind closed doors and the pass word taken up. The company is friendly to the brotherhood simply because every member is an employe of the company.

The brotherhood's constitution forbids any member accepting pay from the company for any services rendered the organization.

Each member of the brotherhood pays $1.00 per month dues. The brotherhood pays each member who is sick or hurt $1.00 per day. We also bury our dead. We have paid out to disabled members since July, 1934, more than $17,000.00 in addition to that we have spent $4,000 for entertainment and more than $1,000 helping men who are not even members of the brotherhood. This money did not stop with the brotherhood but went on through the local business channels. We wonder if the local business men have ever given this a thought.

EUGENE JACKSON.
104 Ball Ave., Pratt City,
December 4. 1025.

Labor—1935

Unions, Strikes, etc.

Brotherhood of Dining Car Employees.

A. F. of L. Menace to Railway Men, Lemus Declares

Federation Efforts Worse Than Unemployment, Says Brotherhood Head.

HITS "LEADERS" WHO URGE MEMBERSHIP

Has Organization Contracts Cited as Binding.

NEW YORK.—Attempts of the American Federation of Labor to organize workers, rather than unemployment, represents a real menace, according to Rienzi B. Lemus, grand president of the Brotherhood of Dining Car Employees.

According to Mr. Lemus, one of the A.F. of L. railroad unions now seeking colored members is the Brotherhood of Railroad Carmen, with jurisdiction over such laborers as car-cleaners.

Have White Officers

That union's constitution, he points out, expressly provides that where these workers are in sufficient numbers to be worth their dues to the organization, they shall be organized as separate locals officered by white men.

None but white members can be on a grievance committee, he said, adding that a grievance must be presented to the management by a white man, and only white men can be delegates to the convention from an "all-colored" local.

"The A.F. of L. issued a charter to A. Phillip Randolph's Pullman Porters' Union nine years ago and has not been yet able to get recognition from Pullman for Mr. Randolph, notwithstanding."

Speaking of A.F. of L. attempts to invade the territory of his organization, Mr. Lemus said that the union sponsoring the drive is the Hotel Men's and Beverage Dispensers' International, chiefly noted for keeping our people from working in hotels and tending bars.

Demand Refused by R.R.

This union once demanded that the New York Central management keep colored cooks out of 'their territory.' The railway company refused."

H. Heard Heads PRR Diner Men's Adjustment Board

(Special to AFRO)

NEW YORK. — Hugh Heard, waiter-in-charge, was elected chairman of the dining car cooks-waiters' system board of adjustment on the Pennsylvania Railroad, at the organization of that board in its first meeting here on July 9.

Established in accord with the provisions of the Railway Labor Act, the board sits in final judgment on disputes over interpretation of the contract covering cooks' and waiters' wages and working rules.

Six on Board

The board's membership of six is equally divided between the representatives of management and employees. C. E. Musser, superintendent of the labor and wages bureau of the P.R.R.; E. O. Morrison and C. D. Davis, assistant superintendents, dining car service, all white, make up the company representatives.

Employee members are Hugh Heard, waiter-in-charge; George N. Spencer, chef-cook, and George Gibson, waiter.

Following Mr. Heard's election as chairman, Mr. Musser was made vice-chairman, and J. R. Geren, white, secretary.

Two-thirds Vote Needed

The system adjustment board was authorized in a memorandum of understanding reached between the Brotherhood of Dining Car Employees and the Pennsylvania Railroad Company at New York on June 3.

To reach a decision on any case two-thirds of the members must vote for it. The board's permanent headquarters will be in the Pennsylvania Station, New York City.

P.R.R. Waiters Get Week's Vacation

(Special to the AFRO)

NEW YORK—Effective at once, all waiters-in-charge, of more than five years continuous employment in dining car service on the Pennsylvania Railroad, will be granted annual vacations of one week each with pay, according to announcement here Monday by Rienzi B. Lemus, grand president, Brotherhood of Dining Car Employees.

Vacations with pay for dining car stewards (white) have been given by the Pennsylvania Railroad management, off and on for several years, and upon revival of the practice recently, Mr. Lemus at once urged upon J. F. Finnegan, general superintendent dining car service, the merits of the case of waiters-in-charge in that respect.

DINING CAR EMPLOYEES' HEAD QUITS

NEW YORK, Aug. 22—(ANP)—Rienzi B. Lemus, grand president of the Brotherhood of Dining Car Employes, has resigned as general chairman representing dining car cooks, waiters-in-charge, waiters and pantrymen on the Pennsylvania railroad. The resignation was dated August 14 and immediately accepted by the appointing authority, John H. Lewis, president of the Brotherhood on the Pennsylvania railroad.

Railroad Waiters Look Askance At Labor Fraternity

CHICAGO, Sept. 12.—(ANP)—Considerable uneasiness exists in the ranks of the dining car waiters of this railroad center as they speculate upon the final results of the drive being made by the American Federation of Labor to organize dining car waiters and cooks.

Waiters who form a more or less preferred class of railroad employees have been organized for years, first in locals upon the various roads whose terminals are here and secondly in the National Brootherhood of Dining Car Employees. Both working conditions and salaries have been notably improved by the efforts of the waiter's organizations which in every case have been headed by colored men. In fact, in some instances as in the case of the Northwestern railroad for example, where white cooks were employed, the colored representatives of the waiters represented the white cooks in negotiations with railroad officials.

When the railway labor act was passed, the A. F. of L. notably prejudiced the interest of Negro workers except in those crafts where the colored men are in a majority, seeing a field for addition memberships, establishing an offshoot of their Hotel Alliance and Bartender's International which they called its Dining Car Division. Chicago waiters declare that while this is in effect a Jim Crow division, the white cooks immediately assumed a strong position in its makeup. When the New York Central committee was made up, there were four white men and two colored.

W. L. Wilson, general chairman of the Northwestern Railroad dining car men, and Joel Miles, secretary of the Rock Island men and acting secretary of the National Brotherhood of Dining Car Employees, were outspoken in their condemnation of the A. F. of L. and its tactics. They charge the white labor organization of flooding Chicago with white organizers who have gone among the colored men spreading false reports annd making promises which they declare will not be fulfilled. Already, the Federation has invaded the ranks of employees on one major railroad, the New York Central, and wrested control of the union away from colored hands, defeating Rienzi Lemus, president of the Dining Car Waiters brotherhood, which operates in the East, and who sought to take over the company union when the new railway labor act left the way open. Lemus' organization represented the eastern section of the road upon which Negro cooks work, and receive $125 per month. The A. F. of L. took over the Western end where cooks are paid $135 and persuaded the men to desert Lemus' group because of the $10 differential, though it is claimed that Lemus' group had been responsible for most of the advantages wrested from the company through years of negotiations. The New York Central men voted to join the A. F. of L. but are now declared to be sorry. A contract was negotiated. It is the same contract exactly which the men had before with the exception of a ten cent raise on the month. Under their own leadership, the men were earning $62.50 per month. Now they make $62.60.

"This contract which the A. F. of L. has negotiated is a tricky thing," declared Mr. Miles. "It is a duplicate of the contract which we negotiated years ago with the exception of one or two minor changes which an aggressive committee could have secured with ease. It is dangerous to the seniority of the colored men. We must constantly be on our guard lest a shift be made from colored cooks to white. In the past, it is the white cooks and stewards who turned waiters in and whom we had to fear. We have no reason to assume that they will play fair with us when we place the fats of our jobs in their hands.

"It was colored men who started the organized labor movement among the colored men of our railroads. We risked our jobs. We did not have the support of these very white men who now seek to organize and control our jobs.

"Let the A. F. of L. admit colored men into the scores of crafts from which they are now excluded. Every experience which we have had with the A. F. of L. has been to our detriment. We warn waiters against this invasion."

National Mediation Board Asked To Act In Pullman Wage Dispute

CHICAGO, ILL.—In compliance with the provisions of the Railway Labor Act, as amended by the 73rd Congress, the Brotherhood of Sleeping Car Porters has appealed to the National Mediation Board to intervene in its dispute with the Pullman Company about the wages and rules governing the working conditions of porters.

According to A. Philip Randolph, national president of the Brotherhood, he invoked the aid of the National Mediation Board through George A. Cook, secretary, after a series of conferences resulted in a refusal on the part of the Pullman Company to grant any increase in wages or reduce the hours of work as had been requested by the Brotherhood.

Conferences for the negotiation of an agreement for the purpose of regulating hours and increasing wages July 29th, followed by an adjournment for several weeks. They were resumed September 16th and continued through the 19th. Then another adjournment followed, at the request of the Pullman management in order for it to study the cost of the agreement. On October 2nd, conferences were resumed and extended through until October 4th when they terminated.

The conferences were broken off and application was immediately made, through telegram, invoking the services of the National Mediation Board, after a disagreement between the Brotherhood and Pullman management over the matter of wage rates and hours and miles of work. The economic side of the porters case was presented by Dr. Edward Berman, consulting economist for the Brotherhood, and professor of economics in the University of Illinois.

Randolph stated that when the Pullman Company flatly refused to grant any increase in wages or reduce the hours of work, or improve the present working conditions, he immediately invoked the services of the National Mediation Board. He said that he received a prompt reply from the secretary of the board stating that the board had forthwith taken jurisdiction over the case and had notified the Pullman Company of this fact.

AFL Will Act on Color Bars, Green Thinks

Federation of Labor President Too Busy to Say What.

THE CONVENTION STARTS IN JERSEY

Nat'l Urban League Has Strong Lobby.

(AFRO Bureau)

ATLANTIC CITY — William Green, president of the American Federation of Labor, told the AFRO-AMERICAN that the convention in session here would deal with the question of racial discriminations in labor locals during the week.

"We will deal with that sometime during the convention," the labor head declared when questioned by a staff correspondent for this paper, but when pressed as to what course the body might take, declared, "on account of many other matters he had to attend to I cannot discuss that question now."

Randolph Here

A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters, is heading a delegation which is fighting to have the convention take action against the practice of racial discrimination and the barring of colored members from locals throughout the country.

Mr. Randolph told the AFRO that his group would make an effort to eliminate the bar against colored workers in all of the local, national and international labor unions affiliated with the American Federation of Labor.

He stated that he would introduce a resolution to continue the committee on labor problems appointed by President Green at the San Francisco convention last year. This committee was given the work of investigating the status of colored workers in connection with the A.F.L., and was brought into existence by a resolution introduced by Randolph.

Also present is Lester B. Granger, of the National Urban League workers' council, who is waging a fight for the anti-discrimination resolution. He is being assisted by James H. Hubert ofthe New York Urban League, Edward S. Lewis of the Baltimore Urban League and Donaly Wyatt of the Philadelphia Armstrong Association.

This group is working to have the federation adopt a definite resolution which will give it jurisdiction over locals and enable it to enforce anti-discrimination laws of the national body. They are carrying on a strenuous lobby.

Striking pamphlets carrying such slogans as "Expel the traitor; kick out jim crow," "Jim crow is a traitor and divides labor's strength," are being distributed by the lobby group.

The workers' councils, organized by National Urban League, number 32 in 26 states and have an enrollment of 30,000.

Condemn Italy

Randolph also stated that he would introduce a resolution condemning the imperialistic aggression of the Italian government against Ethiopia. He and M. P. Webster will also confer with President Green and the executive council on the scope of the international charter which was recently granted the Brotherhood of Sleeping Car Porters.

Donald Wyatt is also seeking to have the A.F.L. accept membership of the Philadelphia Motion Picture Operators' Association. He has been assured by President Green that this would be done.

Raps Communists

President William Green, in his opening address, expressed strong opposition to the organization of a labor party, declaring it had been hatched on "foreign soil." This was interpreted as a slap at the Communists who are working for a united front with a labor party as the political medium.

The president also stated that "under no circumstances must we be drawn into this Italian-Ethiopian conflict."

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Unions, Strikes, etc.

Brotherhood of Sleeping Car Porters. 6

End Jim Crow in A.F.L. Unions, Randolph Urged Convention

Council Does Nothing for Negro Rights

Lucy Parsons

'Camouflage' Is Charge of Head of Sleeping Car Porters

11-4-35

Below are given extracts from the speech of Delegate A. Philip Randolph, of the Brotherhood of Sleeping Car Porters, to the A. F. of L. convention. Randolph made an eloquent appeal for the wiping out of all discrimination against Negro workers in the unions.

New York

Randolph brought out the fact that the Resolutions Committee, in its report to the convention, had suppressed concrete recommendations of a committee set up by order of the A. F. of L. convention a year ago, recommendations for definite action to eliminate race discrimination in the unions.

Randolph read to the convention the proposals of this committee to the Executive Council and made a motion that they be adopted.

The concrete proposals of the committee set up by the San Francisco convention of the A. F. of L. were defeated, and instead, the convention adopted only a general statement on race discrimination without concrete action.

The official convention proceedings spelled Negro with a small "n." No other changes were made in the text.

Delegate Randolph's speech follows in part:

The report of the Executive Council I consider quite inadequate. It does not meet the issue in any respect, and, in the first place, it has not followed the procedure laid down by the San Francisco convention. I wish to read from the records of the San Francisco convention relating to this question.

In that convention Delegate Hutcheson, Carpenters, asked: "What was the final recommendation of the committee?" The Organization Committee non-concurred in the resolution, which dealt with discrimination against Negro workers.

Then Delegate Hutcheson moved as an amendment: "Therefore, I move as an amendment to the committee's report that there be a committee of five appointed by the President of the American Federation of Labor to investigate the conditions of the colored workers of this country and report to the next convention."

Charges Camouflage

The report was not made here by the committee which was appointed by President Green. The Committee made its recommendation to the Executive Council. The Executive Council appointed one of its members to make the report of the matter. This is the report, but the recommendations of the committee appointed by President Green are not in this report. I think they should be included. **As a matter of fact, this report of the Executive Council I will regard as merely a lignified, diplomatic camouflage.**

This is the report which was made by the committee appointed by President Green, signed by four of the members of the committee of five. It reads:

"First. That all International Unions, who bar Negroes from membership in any way or discriminate against them through separate local systems or forbids them representation at conventions or on committees, will take up the Negro question at the next convention for the purposes of harmonizing constitution, rules and practices to conform with the oft-repeated declaration of A. F. of L. conventions on equality of treatment of all races within the trade union movement.

Report Suppressed

"Second. All charters issued by A. F. of L. shall be in conformity with both declared policy and law on the subject of membership.

"Third. The A. F. of L., through its officers, the American Federationist, A. F. of L. Weekly News Service, Workers Education Bureau and other mediums, conduct a continuous active campaign of education within the trade union movement on the Negro problem. The purpose being to get the white worker to see more completely the weakness of division and the necessity of greater trade union unity between white and black workers to the end that all workers may be organized.

"Respectfully submitted,
"JOHN E. ROONEY,
"JOHN BROPHY,
"T. C. CARROLL,
"JOHN W. GARVEY."

Now, I want to know why these recommendations were not included in this report and presented to this convention. As a matter of fact, the motion in the San Francisco convention provided that both recommendations and findings should be presented to this convention. And, by the way, the findings are important because they represent the basis upon which those conclusions were drawn.

Some Unions Bar Negroes

Now, fellow delegates, it is not the purpose of the Sleeping Car Porters to claim that all of the unions of the American Federation of Labor discriminate against Negro workers. The United Mine Workers, the Hod Carriers, Butcher Workmen, International Ladies Garment Workers Union, the Carpenters, Teamsters and unions of that sort include Negroes in their membership; but other unions affiliated with the American Federation of Labor either have color clauses in their constitutions or color pledges in their rituals that directly bar Negroes from the unions. Not only that, but there are other devices and subtle ways by which some of the unions that do not have these color clauses discriminate against Negro members.

How Negroes Are Jim Crowed

We have had the occasion to examine material presented to us again and again where Negroes have gone to certain jobs to work and they were told by the contractor: "You cannot work here, because you haven't a union card. You have got to get a union card." Then the Negroes went to the unions and asked for a card. They were told they could not get cards unless they were working on the job. You can readily see what a dilemma certain groups of Negroes are in because of this discrimination practiced by some of the unions.

The report of the Council states that provision is made for the organization of Negroes in Federal unions. We find that the Federal unions that include Negroes are racial unions. There is no justification for a racial Federal union. There is no more justification for it than to have Federal unions based on sex or religion or nationality. It is against that very thing the Negro workers are protesting, and consequently the report of the Executive Council does not meet the issue presented.

A Federal union based upon race is a dual union, because the national union covers the same class of workers that are covered in the Federal union. The Federal union has no power under the law.

Federal Union Not Enough

The Federal form of organization that the American Federation of Labor provides for Negro workers is virtually no organization at all. I know of no Federal union of Negro workers which has negotiated a contract with the employers; consequently you can see that the Federal unions, as organized by the American Federation of Labor neither have the power to protect the interests of the Negro workers nor do the Federal unions organize Negro workers to any appreciable extent. Therefore it is purely evasion of the question to point to the fact that the American Federation of Labor has such Federal unions.

The Negroes in the Federal unions have found that in some instances, although they get the results, they are called upon to pay fees to various agents that come around and pretend they are going to get results for them. Now we are calling upon this convention to give serious consideration to this question. We have evaded it for a long time, there is a conspiracy of silence on the question right here in this convention, because there is no reason why the supplemental report of the Executive Council should be presented to the convention about the time we are ready to adjourn.

Negroes Good Fighters

The Sleeping Car Porters want this convention to know that the Negro workers want to come into the American Federation of Labor they want to share in the defense and help bear the burdens. We want to go through all the trials and tribulations with the white workers. They want to stand arm to arm and shoulder to shoulder and face the problems as they are. They don't want charity, they don't want philanthropy, they want to come into the American Federation of Labor, they want to share in the other workers. Whenever one group of workers is barred the stigma of inferiority is attached to them.

No national or international organization in the American Federation of Labor has the moral right to claim the privilege and the right to write an agreement covering the wages and working conditions for a given class of workers and then except a section of those workers because of race or color. No national or international union has a right to claim the benefits of Federal legislation which gives them the right to negotiate a contract on the basis of majority representation, and then keep a part of the workers from enjoying that privilege.

The Sleeping Car Porters conquered the Pullman Company, and on the board of directors of that company were J. Pierpont Morgan, Mellon and Whitney. The Sleeping Car Porters conquered this mighty corporation in ten years of struggle. This is an indication that Negroes will stand up and fight for their rights just as well as white workers will.

NEGRO AND WHITE, UNITE!

There is no reason under the sun why an organization of labor which is interested in the organization of workers, regardless of race, creed or color, should single out the Negro workers and attach to them the stigma of inferiority and say, "Although you are workers, you haven't the right to join an organization. We will make contracts for you but you will not have a voice in the organization making the contract." Think of a national organization making a contract for a group of workers and not allowing those workers to have a voice in the determination of that contract. That is a reflection upon the spirit of this great organization.

We are living in times of storm and stress. Right here on this floor experiences were related where men in a certain village were shot down. It showed that the employer was not concerned about race or color. Then why should the worker be concerned about race or color? The labor organization will always suffer, the American Federation of Labor will always suffer for that fact until it is corrected.

Unity of Races Essential

No doubt there is considerable power possessed by this organization, but, after all, when there is a fundamental error in the philosophy, in the program of an organization based upon the exclusion of a worker because of the accident of his color, that is certainly a serious handicap.

Why should a Negro worker be penalized for being black? Why should anybody be penalized for something over which he has no control? The American Federation of Labor will not be able to hold its head up and face the world so long as it permits any section of workers in America to be discriminated against because they happen to be black.

We are living in a time when there should be no division of race, religion, creed or nationality. The workers are facing the possibility of the abrogation of civil and political rights, because in every industrial crisis in America the civil liberties of the workers have been abrogated. It happened in the San Francisco general strike, it happened in Toledo, it happened in Minneapolis, it happened in the textile workers' strike.

In Arkansas the share croppers decided to organize. They were both white and black. Black and white organizers were sent there and talked to the share croppers, and the white share croppers were thrown out of their shacks and left on the roadside to suffer. Both black and white workers were mis-

led. The black workers were told "Don't have anything to do with that white worker because he lynches you." Then they go to the white worker and say, "You are better than these black workers, you are of a superior race, you are a Nordic." As a result they were able to exploit both classes of workers.

Bosses Divide Workers

Not until the workers themselves understand that there is no fundamental difference between the white and black workers, that it is all superficial, that there is no difference in the capacity of black and white workers, their brains are alike, their physical makeup is the same, except that there is a different pigment in the black man's skin.

The workers in America have been victimized by propaganda by people who are keeping the workers divided because they know what a power they will be when once they are united, when once they are bound together in one organization fighting for one object.

I have this report and recommendation presented by the committee appointed by President Green, signed by four members of that committee. I move that this report be adopted by the convention in order that the world may know that the Federation is taking a different position on the question of the Negro, and that it is looking upon every worker as a worker, whether he is black or white, Jew or Gentile, Catholic or Protestant.

Brotherhood of Sleeping Car Porters.

Labor-1935

Unions, Strikes, etc.

FIGHT LED BY RANDOLPH IN ATLANTIC CITY

Call

To Begin Educational Campaign to Wipe Out Discrimination

11-9-35

ATLANTIC CITY.—The Brotherhood of Sleeping Car Porters led the fight to force the American Federation of Labor definitely to commit itself against all discrimination against Negro workers by its trade union affiliates at its recent meeting here, according to A. Philip Randolph, national president of the Brotherhood who, together with M. P. Webster, first vice-president, directed the strategy of the attack.

The issue was raised when delegate Randolph objected to the passing of a motion to refer all resolutions not reported upon to the convention because of the lateness of the hour on the last day to the executive council without debate on the floor.

Randolph contended that the executive council had delayed the report on discrimination in the trade unions against Negro workers to a time when adequate discussion of the report was impossible and that this tactic was preventing the convention from hearing discussion of one of the most important issues before the convention. Whereupon delegate Feeney, international president of the Structural Iron Workers' union, suggested that special consideration be given the report on discrimination against Negro workers which was recognized and accepted by President Green.

Delegate Randolph was then given the floor and he attacked the report made by the executive council to the convention on the question of discrimination in trade unions and styled it as a form of "dignified, diplomatic, rhetorical camouflage, and complete evasion of the issue."

Attacks Report

He proceeded to analyze the report of the council, pointing out that the claim that Negro workers were permitted to organize into federal labor unions directly chartered by the A. F. of L. which offset discrimination by national and international unions, was a makeshift and no solution at all of the problem. He pointed out that the federal unions neither organized or protected Negro workers, since they had no economic strength and made more for division, separation and isolation, rather than integration and organization.

He also charged that the federal unions were a form of dual unionism which tended to weaken both the national union and the federal union since they were in competition in attempting to cover the same class of workers such as for instance express and freight handlers.

Delegate Randolph pointed out that there was no more justification for organizing a federal union based upon race, which was the case when Negro workers were not allowed to join a national union, but given a federal labor charter, than it was to organize a federal labor union upon a basis of sex for women or men, or a federal union upon a basis of religion for Jews or Catholics, or a federal union upon a basis of nationality for foreigners or natives.

Negroes Can Organize

He stated that Negroes had the same capacity for organization as white workers, as shown by the success of the fight of the Brotherhood of Sleeping Car Porters and that the Negro workers were not seeking charity or philanthropy, but merely an opportunity to fight, suffer, sacrifice and share the burdens of all of the workers in building up a labor movement to advance the cause of industrial democracy.

At the close of delegate Randolph's address, he made a substitute motion for the adoption of the recommendations presented by the committee on Negro labor problems appointed by President Green to the executive council. The substitute motion was opposed by President Green who stated that the executive council had done all that it could do in the situation inasmuch as it had no power to compel a national or international union to accept or reject a worker as a member.

He pointed out that he deplored such a condition but that nevertheless it existed and that the A. F. of L. could not force a change through legislation, that it had to come through education. He insisted that a few unions discriminated against Negro workers through the color bar and expressed sympathy and agreement in the matter of the economic philosophy of delegate Randolph.

Delegate John P. Frey, secretary of the metal trades department of the A. F. of L., spoke on the substitute motion and expressed his hope that it would be accepted and adopted. He spoke feelingly of the problems of the Negro workers, the matter of race prejudice in some of the unions and told of his efforts to bring Negro workers into the Moulders union. He observed that he had attempted to enlist the cooperation and support of the late Booker T. Washington in the organization of Negro workers but failed.

Webster Makes Plea

Following the comments by John P. Frey, delegate M. P. Webster, first vice-president of the Brotherhood of Sleeping Car Porters took the floor and made a strong plea for the passage of the substitute motion, in which he pointed out that the Brotherhood of Sleeping Car Porters was leading the fight to bring the Negroes into the trade union movement and to make them more favorable to the A. F. of L. but that this fight was handicapped by discrimination practiced against Negro workers by some of the trade unions.

He commended President Green upon the support and cooperation he had given to the Pullman porters' fight and told of the great difficulties Negro workers encountered in trying to organize through the federal labor charters. He sighted the case of his organizing the express and freight handlers in Chicago in cooperation with the Brotherhood of Railway Clerks.

At the close of delegate Webster's talk, delegate George Harrison, international president of the Brotherhood of Railway Clerks spoke on the substitute motion and pointed out that delegate Randolph had misrepresented the Brotherhood of Railway Clerks and that his attack was unfair since the clerks' method of organization was unknown to him.

Regrets Color Bar

He expressed his regret that the color bar existed in his union, but hoped that a change in the attitude in the trade unions to Negroes would be effected through education. He attempted to minimize the significance of the race issue in the trade union movement and to defend the executive council in the report it made on the question.

Following his talk, delegate Randolph again took the floor and pointed out that the railway labor executives association, which was headed by delegate Harrison, had left out of the Railway Labor Act when it was formulated with Joseph B. Eastman, co-ordinator of Federal Transportation, sleeping car porters, although every other class of railroad workers was included by name in the law. This statement Randolph made was in rebuttal to delegate Harrison's observation that the railway workers had given the sleepng car porters great help through adoption of the Railway Labor Act.

Randolph also pointed out that there were more than 20 unions that discriminated against Negro workers through the color bar or other devices, among which were organizations that covered some of the most strategic trades such as the plumbers, electrical workers and machinists. When he finished, the president of the Electrical Workers' union challenged delegate Randolph's statement that the Electrical Workers discriminated against Negro workers, claiming that they did not.

Recommendations Made

The report of the executive council ended with the statement that "We therefore recommend that all national and international unions and A. F. of L. conduct a continuation of our campaign of education to bring to the white workers the necessity for greater unity of the workers in the labor movement to the end that all discrimination against Negroes will be removed.

This is the first time that anything definite by way of a recommendation to be executed on the part of the A. F. of L. by the executive council has been made, comments Randolph. However, he continued, it is thoroughly inadequate and that the fight will continue under the leadership of the Brotherhood of Sleeping Car Porters to eliminate the color bar and all forms of discrimination against Negro workers in the trade unions affiliated with the A. F. of L.

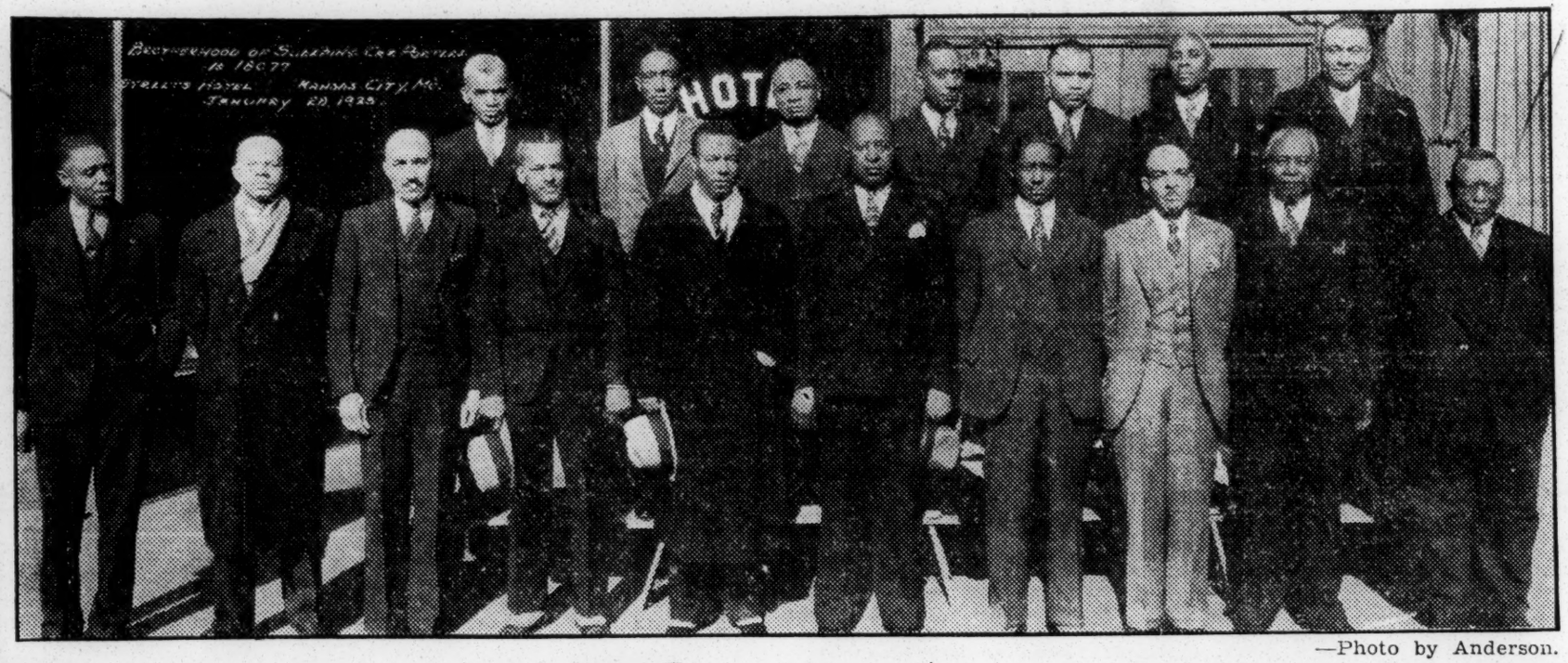
Randolph is mapping out an extensive program to prosecute this fight through the Central Trades and Labor Councils of cities, the State Federations and the federal and local unions of the various national and international unions, as well as to use the educational agencies of the A. F. of L. He expects to take up with President Green some definite plan for formulating and conducting an educational campaign among th white and Negro workers as recommended in the executive council's report at an early date.

Labor-1935

Unions, Strikes, etc.

Brotherhood of Sleeping Car Porters.

Brotherhood of Sleeping Car Porters Ends Convention



—Photo by Anderson.

Delegates to the third national convention of the Brotherhood of Sleeping Car Porters who met in Kansas City January 27 to 31, formulated one of the most militant and far-reaching programs since the founding of the organization in 1925, according to A. Philip Randolph, national president. From left to right, front row, George Williams, Kansas City; Tom King, Kansas City; C. L. Dellums, fourth vice president, Oakland; Ashley L. Totten, national secretary-treasurer, New York; Mr. Randolph, president, New York; M. P. Webster, first vice president, Chicago; Bennie Smith, second vice president, Detroit; E. J. Bradley, third vice president, St. Louis; John C. Mills, Chicago; Frank Boyd, St. Paul. Left to right, rear row, William Puckett, Chicago; E. Madison, Kansas City; Kelly Foster, Portland, Ore.; Ernest Smith, Chicago; T. Murrell, Omaha; Spencer Watson, Kansas City, and William Rhodes, Kansas City.

The Porters' Election

PULLMAN PORTERS—those efficient and long-exploited servants—will have an opportunity within a few days to decide whether they shall be represented in negotiations on wages and working conditions by company pets or by militant union men whose will is above price.

From A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters, comes the welcome news that the National Mediation Board will conduct an election of workers' representatives among the porters. This is the first time Negro workers have had an opportunity to vote as a national labor group under federal supervision.

Heretofore Pullman elections have been largely the matter of a little clerical work and considerable intimidation on the part of company officials and porters who are satisfied with the results gained from "the easiest way."

Now the election will be by secret ballot, and the tally will be taken off company property. Absent will be the familiar type of porter who enjoys the complete confidence and esteem (and better conditions) of the company in labor matters.

Mr. Randolph will have no easy matter in meeting and combating opposition to old-line porters and maids. The new Pullman Porters and Maids Protective Association will appeal to a considerable number of Pullman workers. There will be offers of favors for some and threats of dismissal for others.

Federal legislation provides that these workers have the right to select representatives freely and without coercion. Porters who possess an awareness of the changing social order in which workers are articulate will select brotherhood men and maids.

We hope that a majority of the others will be won over before the election begins. Too much sacrifice and money have been put into the brotherhood for its ten years of militant consecration to be wasted.

PULLMAN PORTERS WIN

The long and continuous fight waged by the Brotherhood of Sleeping Car Porters for some degree of economic freedom, appears to have been won. By orders of the National Mediation Board they will be given opportunity to vote in a national election for a choice of organization they desire.

The obtaining of this privilege is a signal victory for an organization and body of deserving men and women. The Brotherhood of Sleeping Car Porters, the Pullman Porters and Maids, Protective Association will hold their election by secret ballot, which is being conducted between the dates of May 27 and June 22. This election will be held in 66 districts and agencies from coast to coast throughout the country.

No class of workers have sacrificed and struggled harder to maintain an existence than these splendid men and women. They have fought against wealth and influence as well as against deception and treachery within their own group. The leader of the fight, A. Phillip Randolph, the national president, supported and sustained by an earnest and determined band of men and women, has allowed no influence to divert better judgment in his efforts to obtain the desired results.

The election will be held under federal supervision and it comes after ten years of militant determined, courageous fighting of a small band of black workers led by this intelligent leader against one of the most powerful organizations of the world, and yet these few men have in the face of such tremendous opposition accomplished their purpose. More power to their leadership and more unity to those who are following them.

Dining Car Cooks And Waiters Of Penna. R. R. System Form New Local, Say Lemus Heads Co. Union

New Move Seen As Effort To Unite All Negro Railroad Employees In East Into Affiliated Groups Under Domination Of Randolph

Charging that the Brotherhood of Dining Car Cooks and Waiters, which for the past ten years has represented the large group of Negro cooks and waiters on the railroads of the East, is only a "company" union in disguise, about fifty members of this group working over the Pennsylvania Railroad System met Monday night at the headquarters of the Brotherhood of Sleeping Car Porters to begin organization of what they say will be a real union of workmen.

The group was addressed by several officials of the American Federation of Labor, including Frank R. Crosswaith, who in an impassioned address lasting more than an hour reviewed the history of the Brotherhood of Dining Car Cooks and Waiters and made a vicious personal attacks on its head. Rienzi B. Lemus.

"General W. W. Atterbury, head of the Pennsylvania Railroad, is one of the bitterest foes of organized labor in this country and the fact that Lemus has his blessings shows that he is not working in the interest of the cooks and waiters but for the railroads," the speaker said.

He also made a comparison of the benefits obtained by cooks and waiters in the East with thse made by the same group in the Pacific Northwest, which are organized under the American Federation of Labor and affiliated with Local 370.

In concluding his addressing he said that labor organizations were instruments and were good or bad in relation to their control. As long as they were controlled by the workers themselves, they were good for the workers but whenever they came under the dominance and control of the employers of labor, whose interests are diametrically opposed to those of labor, then the union is no longer any good. He urged the men present to organize themselves into a bonafide labor organization, and and to affiliate with the American Federation of Labor which speaks for the workers and represents their interests in matters of politics.

Ashley L. Totten, secretary-treasurer of the Brotherhood of Sleeping Car Porters, welcomed the cooks and waiters to the porters' building and said that it was the dream of officials of his organization that the porters together with cooks and waiters and Red Caps, would make the porters' headquarters a center of power in Harlem, as they represented the largest group of organized workers in the city and by unity could command big things.

PULLMAN CO. RECOGNIZES BROTHERHOOD

WASHINGTON, D. C., July 11—Recognition was extended last Monday to the Brotherhood of Sleeping Car Porters, an affiliated organization of the American Federation of Labor, when the National Mediation Board of the Railway Industry certified that the independent union had won elections for collective bargaining spokesman.

The vote as announced by the National Mediation Board indicated an overwhelming triumph for the Brotherhood of Sleeping Car Porters. A total of 5,931 votes were cast for its spokesmen as against 1,422 for the company union.

The victory of the Brotherhood of Sleeping Car Porters was the result of a 10-year fight for union recognition by the Pullman Company. During that period the Pullman porters had tried vainly to have the Pullman Company bargain collectively with them.

Several months ago, there was a dispute concerning representation between the porters belonging to the Brotherhood of Sleeping Car Porters and those affiliated with the Pullman Porters' and Maids' Protective Association. The Brotherhood of Sleeping Car Porters appealed to the National Mediation Board and submitted more than 5,000 names of porters who had authorized the union to represent them.

The board also received 2,054 authorizations from the company union members. It was then arranged by the board that six election committees should take the votes in different cities. The vote was begun on May 27, last, and ended on June 27. In the 29 cities the independent union was the victor. It also won a majority of ballots cast by mail.

The election is said to be the first under the auspices of any goverument agency in which a colored trade union has won recognition as spokesmen for the employes.

The voting was conducted under authority granted the National Mediation Board of which D. L. L. Leiserson is chairman.

The Brotherhood Victory

TRIBUTES and congratulations are due the Brotherhood of Sleeping Car Porters and its leadership for their sweeping victory in the Pullman union poll which closed last week. Today the brotherhood stands acknowledged and affirmed by the federal government as the representative organization of the porters and maids.

The election held under the supervision of the government clearly indicated the porters' choice. The workers voted 6,000 to 1,400 in favor of the brotherhood as against the company union, the Pullman Porters and Maids' Protective Association.

Credit for this victory does not go alone to A. Philip Randolph, president; Ashley L. Totten, secretary-treasurer; their organizers, and the former officials who have turned to other fields. Their intelligence, perseverance, militancy, willingness to sacrifice and social outlook have been important factors which cannot be praised too highly. On the other hand, the porters and maids who braved the wrath of the company and sacrificed their jobs and pension rights are the heroes of the first water.

These men now need not feel that they have suffered in vain. By refusing to bow before the rapacious and brutal demands of the Pullman Company, they have made economic history for their race and for the entire labor movement.

Today every porter and maid (including those who voted against the brotherhood) are assured of the protection of an honest, fighting union, backed by the American Federation of Labor.

We hail and salute the brotherhood. Its victory (the first national one to be won in an election under federal supervision) provides fresh courage for millions of black men and women in other fields.

Labor—1935

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California

FREE SPEECH ISSUE ROUSES CALIFORNIA

Times
2-17-35

Opposition Starts Against Forces Supporting the Suppression Campaign.

New York

FASCIST PERIL IS FEARED

By GEORGE P. WEST.

Editorial Correspondence, THE NEW YORK TIMES.

SAN FRANCISCO, Calif., Feb. 14.—Discussing the trial at Sacramento of seventeen Communists accused of criminal syndicalism as a culmination of California's anti-Red drive, Watch-Tower correspondent of Jan. 20 commented on the strength of the forces supporting the campaign of suppression and on the absence of any protest from liberals.

Within the past ten days that situation has changed. Bishop Edward L. Parsons of the San Francisco Diocese of the Episcopal Church, before his annual diocesan convention on Feb. 5 made eloquent protest against the menace of fascism in general and the Sacramento prosecution in particular. Then Dean Grayson N. Kefauver of the School of Education of Stanford University used the Stanford hour on the principal NBC station in San Francisco to suggest that the Hearst campaign may be "part of a Fascist movement to crush independence in thinking in the social field."

Today appeared a statement signed by an impressive list of San Francisco business men, ministers, clubwomen and faculty members of the University of California in which they announce themselves as sponsors for a lecture to be given here next Wednesday evening by John Strachey, English writer. Mr. Strachey, an avowed Communist, was originally engaged for a lecture by the San Francisco Centre of the League of Women Voters.

Attacks Bring Support.

Publication of bitter attacks on Strachey by the Hearst newspapers led to an agitation against his appearance and the centre, composed of San Francisco's more prosperous and intellectual clubwomen, finally decided on a referendum of its membership. The decision was for the lecture by a majority of thirty-two. Meanwhile the American Legion canceled its contract with the centre for use of the War Memorial Auditorium and owners of private halls refused to lease. Now Mr. Strachey is to appear behind an impressive front of leading citizens, including two members of Governor Merriam's State Relief Commission, one director of the San Francisco Chamber of Commerce, the city's Methodist and Episcopal Bishops and its leading rabbi. In announcing their sponsorship they say:

"Our sponsorship does not mean that we approve, agree with or support any of Mr. Strachey's views. It is a protest against the apparent attempt to deny him the 'right of free speech in San Francisco."

Educators Also Protest.

Still another protest against the Sacramento trials comes from the campus of the University of California, where Dean O. K. McMurray of the Law School and Professor George P. Adams, head of the Philosophy Department, head a list of faculty members who see in the anti-Red drive a menace to American institutions, a step toward fascism and a discouragement of orderly reform.

The sentiment of all these groups was summed up by Bishop Parsons when he said:

"The Bill of Rights is increasingly violated. The ballyhoo of campaigns against communism from which except for sporadic violence we are in no danger, is used to crush as subversive all free expression of minority opinion. "The vicious Criminal Syndicalism Law is still on our statute books, and no dead letter, as witness the Sacramento trials. The whole movement makes against all our American tradition as well as our constitutional rights. It makes steadily toward some form of fascism."

Thus far no counter-attack has come from leaders in the anti-Red drive, and on the contrary the protests here quoted have elicited wide popular support.

Labor–1935
Unions, Strikes, etc.

Communists.

The World Communist Congress and Issues Facing American Workers

By A. B. MAGIL

Article I, Part I

NOTE:—This is the first of a series of articles that will appear on 12 successive Fridays dealing with the decisions of the recent Seventh World Congress of the Communist International in the light of the burning problems facing the American masses.

Daily Worker

The annual convention of the American Legion has just adopted a series of reactionary resolutions that mark a new high for these gatherings. Dominated by a Chamber of Commerce clique and presided over by its banker National commander, Frank N. Belgrano, the Legion convention called for deportation of "alien agitators" and "of all destitute aliens," fingerprinting of all residents of the United States, an increased drive against progressive thought in the schools and colleges, and withdrawal of recognition of the Soviet Union.

The kind of "Americanism" that the higher officials of the Legion stand for may be gleaned from the following dispatch of Hearst's Universal News Service that appeared in the New York American of June 25:

"Reports that the Prince of Wales, Col. de la Rocque, head of the French war veterans, and American Legion chiefs are cooperating to unite veterans to force their respective governments to present a united front against Communism impressed delegates to the International Chamber of Commerce meeting."

Fascists Work Hand in Glove

Col. de la Rocque is the leader of the French fascists. The Prince of Wales, at the time this dispatch was written, was acting as the go-between in efforts to tie up the British war veterans with the German fascist veterans' groups as part of the growing alliance between Nazi Germany and Britain signalized by the Anglo-German naval pact.

In other words, the Legion chiefs, in the name of "democracy" and 200 per cent Americanism, are working hand in glove with foreign fascists.

The campaign of the American Legion leadership, directed not only against Communism, but also against fundamental democratic rights, is only part of a growingly ominous pattern that has been crystalizing during the past two years out of the welter of social and political forces that are molding the history of our country.

This is the pattern of the most rabid capitalist reaction, the pattern of developing American fascism.

Signs of the Times

No longer is it possible to say that fascism is something "foreign" which cannot get past the barricades of American democratic traditions. On the contrary, the fascists and near-fascists, while they denounce fascism as "foreign," are demagogically using the native democratic traditions, are raising the battle-cry of "Jeffersonian democracy" and "save the Constitution," in order to drive forward their attacks on democratic and constitutional rights, their offensive on living standards, their attempts to Hitlerize America.

Hearst's Red-baiting and crusades against labor and the Soviet Union, his proposal for the consolidation of all reactionary groups in a new "Constitutional Democratic Party," movements of Father Coughlin Huey Long, the campaigns of national leadership of the Amer- Legion and of the Elks, the wing use of martial law in ikes, supplemented by vigilante bands, the activities of the reactionary officer cliques in the Army and Navy, the bumper crop of state and Federal anti-labor gag bills — all these are signs of the times.

A Leaf from Hitler's Note Book

The dominant Wall Street banks and trusts, faced with strike struggles and the unrest among the farmers, faced with the bankruptcy of the efforts of the New Deal to break the back of the economic crisis and depression, faced with the growing disillusionment of large masses of the people in the New Deal and their attempts to find the path of independent political action—in a period of extreme international tension and feverish war preparation — are more and more beginning to borrow a leaf from Hitler and Mussolini.

It is in the light of this concrete situation, threatening the existence and the hard-won liberties of every worker, poor farmer and middle-class person that the decisions of the recent Seventh World Congress of the Communist International, held at Moscow, assume a life-and-death importance for the oppressed masses of all countries.

Daily Worker
7-27-35
New York, N.Y.

"In the midst of the dark night of bourgeois reaction and fascism," declared the great Dimitroff, hero of the Reichstag fire trial, in his concluding speech at the Congress, "the Communist International rises like a lighthouse, showing the whole of mankind the path to liberation from the yoke of capital, from fascist barbarity, and from the horrors of imperialist war."

The Answer Rests with the Anti-Fascists

What is this "path to liberation" as far as the masses of our own country are concerned? What is the meaning of the decisions of the Congress of the Communist International? How can the fascist Hearsts and their allies be defeated, the wage-cutting, union-busting drive of the Wall Street open-shoppers smashed, war prevented or postponed?

These are some of the questions that will be answered in this series of articles. The answers to these questions concern not only the Communists, but every Socialist, every trade unionist and the broad masses of the American people as a whole.

Fascism or anti-fascism — which will win in America? The answer to that depends on the ability of all of us to size up the danger in time and to unite all anti-fascist forces, as the fingers of the hand are united, in one solid fist of struggle that will deal the death-blow to fascist tyranny, hunger and war.

[The second part of this article, appearing tomorrow, will discuss the nature and methods of fascism and how it can be fought.]

Q. Please compare the number of members in the Communist Party in this country now with the number in 1930. How many are Negroes?
E. R. M.

A. In 1930 there were ten thousand members of the Communist Party. The membership now numbers thirty thousand. In 1930 there were fewer than 100 Negroes in the party which now has 2,500.

Browder Article Calls Killing Of Long a Danger Signal

The far-reaching political significance of the assassination of Huey Long, deliberately slurred over in the capitalist press, despite their reams of sensational and sentimental stories, is for the first time sharply brought to light in an article by Earl Browder, Secretary of the Communist Party, U. S. A., published on page 2 of today's issue of the Daily Worker.

Do not miss this powerful analysis of the background of the shooting of the Kingfish of Louisiana!

"The assassination of Huey Long was a danger signal for America," Browder warns. "It should not be passed over lightly and forgotten soon."

RUSSIAN PEASANTRY GIVEN LAND CONTROL

Granted Ownership Under New Orders

Moscow.—Russia's peasantry is now solid behind the Soviet government, as a result of the Kremlin's wise and timely compromise between the Socialist principle of state ownership of the land and the peasant's desire for absolute personal possession.

Peasants who are members of the collective farms are now being permitted to assume outright ownership—which was abolished by the Bolshevik nationalization and was never more than illusory under the old tzarist regime.

Amid widespread rejoicing the Communist state is now awarding land "grants in perpetuity"—titles which permit neither sale nor mortgage—and prominent officials are making the "formal presentations."

Thus Mikhail Invanovitch Kalinin, the president of the Federated Soviet Republics, presented such a deed to the collective in Kazakstan, cleverly using this occasion to stress the present harmony between peasants and Kremlin.

Himself of peasant stock, he knows how to play on the heartstrings of the peasants. "I hope," he said, "that when I visit you again within two years from now, all of you will possess your own cows, horses and mares."

It is only within the past year that the Communist government has discovered this fruitful compromise with the old slogan of "Three acres and a cow."

Membership in a collective no longer restricts the individual from owning a small plot of land for private cultivation. Such plots vary from three-quarters of an acre to three acres. The peasant owners are encouraged to acquire a cow and to raise calves, sheep and poultry for their private use.

The government actually extends credits for this private acquisition of live stock.

Its new policy has already borne fruit. Productivity in agriculture has increased; the collectives have excelled themselves in gathering this year's harvest and thus fulfilling their state obligations ahead of schedule.

From the political angle the new harmony is of the first importance. It goes far to insure the support of the peasantry in any complications which may arise on Russia's European frontiers or in the far east.

Labor-1935
Unions, Strikes, etc.

Communists.

Mackawain Shown a Supporter of Enemies of Negro People

Editor's Note.—Herman Mackawain, a Negro member of the Harlem Section of the Communist Party, who had been entrusted with several important positions by the Party, recently deserted his post in the liberation struggles of the Negro and white workers and the national liberation struggle of the doubly oppressed Negro people.

Under pressure of the imperialist attacks on the united front defense of Ethiopia, expressed in the most baseless slanders against the Communist International and the Soviet Union, and the misguided "race war" agitation of the most rabid elements of the bourgeois Negro nationalists, Mackawain revealed himself as totally lacking in Bolshevik firmness and understanding of world events and of the aid inevitably given to the imperialist oppressors of the Negro people by Negro bourgeois nationalism with its preachment of hostility towards white workers, as against the unity of white and black workers and anti-fascists in defense of Ethiopia.

By his vicious attacks on the only movement leading, and capable of leading, the present rapidly growing world-wide mass fight against the rape of Ethiopia, Mackawain has shown himself to be a traitor to the liberation struggles of the Negro peoples, of both this country and Africa. The following article, by A. W. Berry, acting section organizer of the Harlem Section of the Communist Party, and Louis Sass, organizational secretary of that section, answers some of the slanders peddled by Mackawain, the renegade from Communism and the Negro liberation struggle.

A previous article by Comrades Berry and Sass, published in the New York Ctiy edition of the Daily Worker last Friday, was garbled in the composing room. A summary of that article is hereby given by the two comrades in the opening part of their present article.

BY A. W. BERRY and L. SASS

Herman W. Mackawain, like Fred Beal, finding no easy berth in the revolutionary movement, proceeds to sell himself to the most reactionary institutions within his reach — the Amsterdam News and F. S. R. Harris (white), head of the so-called "Committee for Ethiopia" and an avowed government agent whose job is to smash the growth and influence of the Communist Party in Harlem.

Mackawain styles his open sell-out a "resignation" from the Communist Party. And he dresses this resignation up with "political differences," which he terms "some unfavorable factors operating within the Party."

Deserts Post

It is rather hard for Mackawain, who now takes up the cudgels for jobs for "hungry Black revolutionaries," to explain his desertion of just such a job in the revolutionary movement. Moreover, out of the 2,500 Negro Party members, 500, or one-fifth of the Negro membership, hold functionary posts, a much higher percentage than for the white Party members.

It goes without saying that holding a revolutionary post—whether paid or unpaid—facing daily the hatred and blows of the ruling class and its agents, is no easy nor comfortable task.

"Jobs for Hungry revolutionaries" is clearly, then, a deceitful and hypocritical gesture when it is remembered that the one who fashioned this slogan preferred hawking needles and razor blades.

The faith of Mackawain in the line of the Communist Party against Negro discrimination lagged since the summer of 1933, according to his document. But in 1934 Mackawain admitted his previous confusion. In a speech at the Eighth National Convention of the Party held in April, 1934, he stated:

"For the first time in my nearly four years in the Party, I can say that I am clear on the correct line of the Party. . . . Comrade Haywood in his report has given us a very clear picture of the danger to our Party of petty-bourgeois nationalist tendencies. . . . I am very sorry that the report on this question was not given four years ago."

The "very clear picture of the danger to our Party" contained in a speech by Harry Haywood is given below in part:

It was following this analysis that Mackawain admitted in 1934 that his position had been incorrect and "a danger." But this is the very position to which he now returns for the purpose of attempting to excuse his desertion from the Negro liberation struggle.

"The Communist International is doing nothing to organize the toiling masses of Africa."

In this one sentence Mackawain brushes aside the heroic work of the Communist Parties of South Africa, Arabia, Senegal, Algeria and the groups led by them in other African colonies and countries such as Liberia, Gambia, etc. The work of these parties in the present war crisis is reflected daily in the reports of the capitalist press. It is well known, also, that these parties are headed by native workers and peasants under the leadership of the Communist International The objectives of these parties were reported by Comrade Haywood at the Eighth National Convention, and endorsed by Mackawain, to be:

". . . for the complete independence of the Negro colonies in Africa and the West Indies, through the establishment of independent native republics."

From this it is clear that Mackawain's slander against the work of the Comintern in Africa is a fabrication proven by the militant and heroic struggles led by the African Communist Parties for independence and self-determination of the peoples of Africa and the West Indies, objectives of the Comintern since 1920. But as for the Negroes in Africa, he says, "Nobody but an optimistic Utopian could believe that the boundaries of the six states (Arkansas, Alabama, Georgia, Louisiana, Mississippi and South Carolina) would be broken or torn down just to benefit a few millions of Black people." He then shouts:

"We black people in America will not feel safe until Africa is free"!

This is a "brave" and "militant" cloak for his treacherous desertion of the liberation struggles of the Negro people throughout the world. For, to deny the right of self-determination to the Negro majority in the Black Belt is to give up the fight for the democratic rights of nine million Negroes who live today as social pariahs, oppressed by American imperialism and its landlord agents. To pose the Africans as the leaders of the Negroes in America is not only a desertion of the fight here but is putting the cart before the horse.

"The line of the Section Committee (on the job campaign) was based on the development of the united front of Negro workers with the white workers in those institutions against which a struggle was being conducted. This was to be carried through on the following basis: Simultaneously with the demand for jobs for Negroes to raise the demand of the white workers employed in these places, i.e., not to demand the removal of white workers as do the petty bourgeois nationalists, but on the contrary, to demand a reduction in hours without a reduction in wages for the white workers on these jobs, and that the jobs created as a result of this be given to Negro workers, and that in future employment of workers by these establishments, workers shall be hired on the basis of 'first come, first served,' without discrimination against Negroes, etc. The line of the Section was not to confine this movement to Harlem, but to make it a starting point for the development of a real drive throughout the city for the right of Negroes to work on all jobs, in all trades and professions, against all forms of discrimination, as the jobs in connection with relief work and in the issuance of unemployment relief, etc.

"Against this correct line of the Section Committee, certain comrades brought forward the petty-bourgeois nationalist line of replacement of white workers by Negroes. They argued: 'Why all this talk about antagonizing the white workers? Are not these white workers in Negro neighborhoods living on the backs of the Negro masses? Are they not occupying jobs that rightfully belong to Negroes?' These comrades forgot about the fight against Jim-Crowism in other parts of the city and tend to regard Harlem as 'our territory,' playing directly into the segregation policies of the Negro nationalists and the white ruling class. The only logical conclusion flowing from this false conception that 'the whites were on the backs of the Negroes' is that the struggle of the Negro toilers for the betterment of their conditions must be directed, not against the capitalists and the government, but against the white workers! Here comrades we see a complete surrender to petty-bourgeois nationalism. Such a line would play directly into the hands of the fascist lynchers of the Negro peoples. It is clear that the work could only move forward on the basis of a determined struggle and the defeat of this dangerous tendency."

(From speech by Harry Haywood at Eighth National Convention of Communist Party, U. S. A.)

We Communists say: The Negroes in America can never be safe nor free until the remnants of chattel slavery now existing in the Southern States, have been smashed. This necessarily means to conduct a consistent fight against the landlords, the state apparatus and the capitalists. To cease this fight and center the attention of the American Negroes on issues three thousand miles away means to aid the oppressors of Africa, because to weaken American imperialism means to weaken those imperialist oppressors of Africa and the West Indies and to desert the fight against the enemy who is right before us here today. And let us not forget that one of the strongest supports of American imperialism today is the system of robbery and oppression directed against the Negro masses precisely in the Black Belt.

Attacks Soviet Union

"Since the Soviet Union is backing those who are against Ethiopia, I am forced to stand against the workers' fatherland," accuses Mackwain.

The ringing call of the Communist International to all its sections for fighting and defeating the fascist war plans, for material aid to Ethiopia, and for the military defeat of Italian fascism, is the clearest answer to Mackawain's slanderous accusation. The decisions of the Seventh World Congress of the Communist International just ended in Moscow, show clearly the side taken by the Soviet Union in the Italo-Ethiopian war situation

The Communist Party of the Soviet Union is the leading and most influential Party in the Communist International. This Party represents the overwhelming majority of the Soviet citizens. Litvinov is one of the leading members of this Party. It is easy to see, then, that the acts of Litvinov can certainly not be the opposite of the acts and will of the majority of the people of the Soviet Union and the Soviet government. For it is precisely this country whose very life depends on the defeat of fascism, which made possible the mass movement now developing against Italian fascism and for material aid to Ethiopia.

It was the Communists, incidentally, who led the Greek workers in strike against the Italian munitions

ships. It was the Communists in America, under the leadership of the Communist International, who mobilized the biggest action in this country against Italian fascism and in defense of Ethiopia. Is it not clear, therefore, that Mackawain is posing as an Ethiopian defender only to knife the most active force for building a world-wide movement of workers and oppressed peoples against the Italian invasion?

But Mackawain is at least consistent in his degeneration. From desertion of his post as acting general secretary of the League of Struggle for Negro Rights, to the easier task of street peddler, he goes now to that of salesman of spurious political wares from the renegades' gutter.

Mackawain had expected to recruit an army of unclear Negro Communists to his ranks, but he will find, as have all renegades, that the growth, influence and political understanding of our Party will increase with the throwing off of such unprincipled adventurers. We can refer him to Fred Beal, Albert Weisbord, George Padmore, and their ilk

Macon, Ga., Telegraph
September 30, 1935

REVOLUTION PLANNED BY REDS

To the Editor of The Telegraph:

Reports received by the American Nationalists, Inc., from its investigators in different sections of the country make it evident that the proposal of the Communists and other radicals to start an armed revolution in this country is much nearer at hand than is generally suspected. Among the facts which verify this conclusion are the following:

First. The action of the Government at Washington in demanding in no equivocal terms that the Soviet put an end to "red" propaganda in this country. The denial of the Soviet Government that the treaty which prohibited such propaganda has been broken, when it is common knowledge that it is being broken constantly, makes it evident that Russia favors and will foster the insidious propaganda which has been urging an immediate revolution in America.

Second. The recent announcement in Moscow that a Revolutionary general strike would be called in all Pacific Coast states this Autumn.

Third. The recent general strike in Terre Haute, Indiana.

Fourth. The attempts to set fire in Denver, Col., to three churches, the city hall and several office buildings, which story was carried in the press dispatches from Denver only last week. Believed to be work of a band of radicals as it was impossible for one man to start so many different fires in such a short time.

Fifth. The boast of street orators in New York that the radicals were responsible for the poisoning of 120 members of the National Guard during the army maneuvers last week with the added threat that the next time the guardsmen would get something worse than acute indigestion.

Sixth. The use by radicals of planes camouflaged to look like army airplanes, to fly above the maneuvers and to scatter treasonable literature among the troops.

Seventh. The constantly increasing efforts of radicals in the South to incite the Negroes to prepare for a race war.

Eighth. The intensified agitation among Negroes in Northern cities to get them to join in a Red Revolution, using the Scottsboro case, the Herndon case, the Ethiopian war scare and alleged oppression of Negro share-croppers as propaganda.

Ninth. The open boast being made in Northern cities that arms and ammunition are being shipped to Negroes in various parts of the South.

Tenth. The attempts by radicals to interrupt the harvesting of crops by calling strikes among farm labor, with the object of causing a shortage next Winter in certain food stuffs.

Eleventh. The growing arrogance and insolence of Red leaders, both at home and abroad, toward the Government of the United States and American ideals.

Twelfth. Various attempts which have been made in different sections of the country to interfere with the Federal Relief Work plan so as to make it a complete failure, and thus create further discontent among the workmen.

The American public can no longer afford to ignore what is happening. The danger of a Red attempt by force to overthrow the federal, state and local governments and reduce the American people to the status of Russian Sovietism is near at hand.

Not only must the American Government withdraw recognition of the Soviet Government, but the federal, state and local governments must act to undo the damage which has already been done in this country. Alien Communists must be deported as must also those aliens who have acquired citizenship but who have forfeited their right to it through their anti-American utterances and activities. The Communist party in the United States, instead of being given equality with political parties, must be abolished. The 500 theaters which show Red revolutionary propaganda pictures and the 300 radical newspapers in the United States must be suppressed. No question of the freedom of the press is involved, since these newspapers have violated all rules of freedom. Native radicals who admit to revoutionary principles must be segregated. Our schools and colleges must take a hand in the proceeding by driving out all professors who are poisoning the minds of the youth of the country by their teachings. Our courts and bar associations must purge the legal profession by disbarment proceedings, if necessary, of those groups of attorneys who make a practice rules of freedom. Native radicals who admit wish to destroy America and overthrow the Government.

We repeat, as a result of the reports that we have received from our members, that the revolutionary movement is near at hand but we also want to give fair warning to the 30,000 Red leaders and organizers in the United States that the American public will stand for a great deal but its patience can be exhausted. We have aready witnessed a few incidents of what happens to radicals when they trespass beyond the limit of that patience. These incidents may be repeated on a wholesale basis if Red propagandists continue their present activities.

Note: The several hundred thousand followers and sympathizers are not counted as members of the Communist party. Only those who through training or service have qualified as leaders, organizers and specialists as soldiers of the revolution are included as party members. The recent statement in Moscow that there were 30,000 members of the party in the U. S. means simply the officers and non-commissioned officers of a future revolutionary army in America.

AMERICAN NATIONALISTS, INC.

Communism Grows

Call 11-1-35

As a prophet this paper is proving a veritable seventh son of a seventh son. Hardly have we pointed out the confirmation of our prediction of several years ago that Communism would increase among Negroes, when the staff of one of the Negro newspapers of New York walks out. If the paper is to be believed, Communism is to blame.

Newspaper workers are supposed to be disillusioned, practical, cynical. For anyone to quit jobs in times like these is itself unbelievable, but for newspaper workers to quit out of a desire to promote Communism proves how little we understand of what we see every day.

We repeat,—the American people must give Negroes an outlet for the ambition which is a part of every human being. This outlet will be given either under the terms of the Constitution or the repressed will find their own way.

Why a white American, boastful of the laws and relations which are supposed to direct the course of this democracy, does not put them to the actual test toward all men, black included, we cannot see. If he means what he says, he cannot longer hesitate, because in spite of obstacles, Negroes here have proven that they can attain to the wealth, ability and understanding which becomes the good citizen.

SPREADING COMMUNISTIC INFLUENCES

Recorder 11-9-35

Fellow colored citizens of Indianapolis! Beware of Communism and its rapidly spreading sinister influences throughout the land. Communist leaders, loudly welching everywhere for the overthrow of the government of the United States are a menace to orderly government.

Agents of Moscow, thousands of them, with a boldness that defies refutation are threatening to throw the nation into a state of economic, industrial, and social confusion such as never was experienced before.

Their fixed purpose is to tnrow a monkey wrench into the machinery of the system of our government, institute in its stead the hellish methods under which millions of helpless Russian slaves Now Are Being Bled To Death!

Against this monster, common enemy of our country which reportedly is invading the ranks of post office employees for the purpose of surreptitiously boring from within the fifteen million American Negroes must present a solid front.

Ours, not as a race, but as Americans, is the sacred inseparable duty to protect America against the dire consequences involved in the revolutionary propaganda that finds its way into the homes of decent citizens from the Communists headquarters in Soviet Russia.

Again, colored Americans, beware of the dangerous enmeshments into which these enemies of the social order assuredly will attempt to entrap you.

Brooklyn, N. Y. Eagle

NOV 13 1935

Soviet Plot to Set Up Republic of Negroes In South Is Charged

Atlanta, Nov. 13 (AP)—Assistant Solicitor J. Walter Lecraw, opposing release of Angelo Herndon, Cincinnati Negro Communist, from an 18 to 20 year sentence for "attempting to incite insurrection," told the court today the Internationalist Communist party had ordered creation "of a republic of Negroes in the South."

"Russia ordered the American Communists to confiscate property from the white people and to establish a State extending from Virginia to Texas," he said.

"The white minority in the State would have been made to submit to the will of the Negroes."

Labor-1935
Unions, Strikes, etc.

Communists.

Negro Editor Hails Soviets

URGES UNITY OF NEGRO AND WHITE AS GREATEST ALLY FOR ETHIOPIA

Says Communism Is Way Out

(The following article, written by Dr. William N. Jones, noted Negro editor and writer for the Negro weekly, the Afro-American of Baltimore, Maryland, is of greatest interest on the Ethiopian situation and the action of the Soviet Union. We re-print this important article which was given great prominence in the Sept. 14 issue of the Afro-American. Dr. Jones is on his way back to the United States from a tour of Europe. He spent some time in the Soviet Union and gives some of the results of his study.)

By WILLIAM N. JONES
Philadelphia Editor of the AFRO-AMERICAN, Now En Route from Russia

This report is written from Moscow, the fastest moving city in the world. Living here one week gives me the impression of having dropped on another planet.

Before commenting on Moscow, however, I want to call your attention to an analysis of the Ethiopian-Italian matter which should be of concern to readers of the AFRO-AMERICAN not only in America, but throughout the world.

After talking to many men and women, including representatives of the Ethiopian Government, newspaper editors and well-informed leaders in England, France, Geneva, Poland and Russia, it seems quite clear to me that Ethiopia is likely to furnish the spark which may set off a world-wide conflagration which will make the last war seem a minor skirmish.

Ethiopia Has Even Chance

Although from the very beginning Ethiopia has had the diplomatic cards stacked against her, she has played the game so skillfully that she is coming out of this phase of the struggle a victor. When I left America, Ethiopia's situation looked gloomy to me.

It still looks grave, but with more facts upon which to base conclusions, I feel now that whether or not that country is driven to war to defend herself from Italian aggression, she has a fifty-fifty chance to win.

Secondary Skirmish

I do not base this conclusion on the secondary skirmish which has developed between England and France on the one hand and Italy on the other. Both England and France are opposing Italy over but not against the proposed division of that country. Both are committed to a policy of reducing Ethiopia to some kind of a protectorate. Until certain serious factors, which I shall mention later, arose, France was frankly committed to allowing Mussolini to go as far as he wished in exploiting and subjugating the kingdom.

Germany, the other European dog of war, engaged in a program of plunder and racial proscription, will grab any parcel of Africa that comes handy, but has her eyes turned towards the provinces of Austria and Soviet Russia.

Japanese Expansion

There have been those who have looked to Japan as a defender of Ethiopia as a colored race. They are mistaken. Japan is now herself engaged in a campaign of subjugating another colored race closely allied in blood to her own, and has definitely joined the ranks of the exploiting imperialists.

Japanese interests in Ethiopia, as well as other parts of Africa, are limited to commercial exploitation. My belief, based on very reliable information, is that while making some moves to pose as the friend of the Ethiopians, the administrative officials in Japan are playing for higher stakes in an impending European conflict.

There is, however, in Japan, an element which may become a powerful factor in favor of Ethiopia. But Japanese official policy at this moment coincides with the policy of Italy in raiding Haile Selassie's kingdom.

England, France Fear Colonial Revolt

As this is written, Tuesday, Aug. 20, England and France are in a strangle-hold with Italy, trying to wring out of her the Ethiopian booty she wants. They have reached accord on the one point that they do not want Mussolini to risk armed conflict with the black empire.

They not only fear the consequences of a possible Italian defeat, but they have been "hearing from home." England sees in addition to a "rising tide of color," a rising tide of white, brown and black working people. France, who patronizes with generosity, dark-skinned men and women in Paris, but who jim crows natives in their own lands of Dakar and other African colonies, has received deep-seated rumblings which make her pause.

France and England, therefore, are making a desperate effort not only to halt the catastrophe, but to save their faces with their millions of toiling colonials by a show of opposition to Italian plans, with the evident intention of finally forcing Ethiopia to bow in a generous measure to the will of Mussolini.

Russia Upsets Applecart

There is one factor, however, which may upset the whole apple-cart of European diplomacy with reference to Ethiopia.

That factor brings me back here to Moscow.

Here in the heart of this socialist country, where the Seventh International Congress of the Comintern of the Communist Party has just closed a long session, it has been possible for me to get from delegates from all countries throughout the world, a clearer analysis of what is taking place than I have been able to get from other sources.

Reds Busy in Italy

You, of course, know the crisis through which the United States is passing. But the crisis in Italy and Germany has become so acute that it is forcing their rulers into drastic efforts to stave off the crash. Frenzied capitalist economy, like frenzied finance, comes inevitably to a pyramiding stage when it must pile more exploitation upon exploitation by reaching out for new fields of operation.

Two Italian Communist delegates here, Ercoli and Batista, state that the whole Italian national economy has been subordinated to the purpose of the Ethiopian campaign, but that the Communist Party in Italy is explaining this to the masses and mobilizing them to fight these war plans.

Reports from Communist leaders from practically every country, including Germany, could not help leaving the impression that Ethiopia's greatest ally, and that one to which Europe is giving most concern, is the militant and powerful manner in which white, black, brown and yellow workers are lining up against an Italo-Ethiopian war in Africa.

Where Reds Stand

When I left America there was much speculation as to where the Communists stood as to Ethiopia. There was also some speculation as to where the Union of Soviet Republics stood as to oppressed colored people in America and other sections of the world, now that Russia is setting up diplomatic relations with many capitalistic countries.

I am not a member of the Communist Party. In fact, there have been times when I have had to lock horns in controversy with members of the American section of the party. But it is my earnest conviction that Russia stands today as the nation most actively, militantly and effectively opposing Italian plundering of Ethiopia.

There was also some speculation as to what changes recently established diplomatic relations with the United States would have on the policies of the American Communist Party.

Let me quote V. M. Molotov, Chairman of the Council of People's Commissars, the official here which corresponds with our Secretary of State:

"We did not find it necessary in establishing these relations to modify our position or make any sacrifices."

Molotov cited what he called the prime purpose of the Soviet Republic in a part of the constitution as follows:

"To abolish all forms of exploitation of man by man, to put a complete end to the division of society into classes, mercilessly to crush the exploiters, to establish a socialist organization of society and to achieve the victory of socialism in all countries."

Said he:

"The Soviet constitution then firmly announces the complete abandonment of the bourgeois policy of annexation of colonies and the abolition of all restrictions on race and nationality."

Has Peace Program

The Soviet government is committed to a peace program and restricts itself to the use of arms solely for defensive purposes. The entire equipment of the Red Army is based upon defensive tactics.

Nothing, however, which I have learned since leaving America has struck me with greater force than what I have observed in connection with the militant effectiveness of the political legions of the international Communist organization.

World-Wide Hook-up

Those who recall the Scottsboro and Herndon cases in America know that the wide offensive against racial proscription set going by this international hook-up startled the world. The same world-wide hook-up is operating in the Ethiopian case and one of the results has been a raking exposure of Italy as an international criminal and the creating of conditions in many countries which will make it extremely dangerous for Mussolini to dare carry out his rape on that African country.

Practically every speaker at the congress coming from other countries reported definite activities in opposition to the Italian campaign.

Group in America

This naturally brings me to a conclusion which touches our group in America.

Socialized Russia, covering one-sixth of the face of the earth, is here to stay. Not only is it here to stay, but, like America following its revolution, it is bound to affect the human relations of every human being in the world.

People won't be satisfied with an inefficient brand of human relations when they see another group using a more efficient brand no more than they would be satisfied with a poor dwelling when they can procure a better one.

Work for All in Planned State

In a world of governmental depressions, when the weaknesses of old systems are resulting in national breakdowns, class and racial clashes and much suffering, Russia has succeeded in developing a planned state where there is work for all, leisure and culture for all, a satisfactory distribution of food and housing, and what is more important to us, the country has completely abolished the damnable evil of racial discrimination.

I do not think it stretches the issue of patriotism anywhere for one to carefully and honestly examine what Russia is doing with a desire of bringing about a better state of affairs in one's own country.

Draws Line

More than this, at the present time, when every country is being pushed toward either the socialistic or fascist form of government, our group in America cannot afford not to consider with deep concern, the direction we would prefer our own country to go.

In America, in particular, the question must soon be settled with a sharp decision, one way or the other. The old order is passing.

Whether one is a Republican or a Democrat, a good church member or a good lodge man; whether he or she is a member of the N.A.A.C.P. or the Urban League, the common issue among all colored Americans should be, can we unite on any battle front which will eradicate racial discrimination and economic oppression?

World Movement is Toward Brotherhood

If this is true, then it seems to me that the only logical course we can take is, not only to strenuously oppose those who are turning toward fascism, but turn directly into the path socialized Russia is going. The world movement toward human brotherhood of all races which the Communists are leading today is the only way out. It is not necessary to be a Communist or a revolutionist to see this. All we have to do is to recognize the facts about us.

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There is however, in Japan, an element which may become a powerful factor in favor of Ethiopia. But Japanese official policy at this moment coincides with the policy of Italy in raiding Haile Selassie's kingdom.

England, France Fear Colonial Revolt

As this is written, Tuesday, Aug. 20, England and France are in a strangle-hold with Italy, trying to wring out of her the Ethiopian booty she wants. They have reached accord on the one point that they do not want Mussolini to risk armed conflict with the black empire.

They not only fear the consequences of a possible Italian defeat, but they have been "hearing from home." England sees in addition to a "rising tide of color," a rising tide of white, brown and black working people. France, who patronizes with generosity, dark-skinned men and women in Paris, but who jim crows natives in their own lands of Dakar and other African colonies, has received deep-seated rumblings which make her pause.

France and England, therefore, are making a desperate effort not only to halt the catastrophe, but to save their faces with their millions of toiling colonials by a show of opposition to Italian plans, with the evident intention of finally forcing Ethiopia to bow in a generous measure to the will of Mussolini.

Russia Upsets Applecart

There is one factor, however, which may upset the whole applecart of European diplomacy with reference to Ethiopia.

That factor brings me back here to Moscow.

Here in the heart of this socialist country, where the Seventh International Congress of the Comintern of the Communist Party has just closed a long session, it has been possible for me to get from delegates from all countries throughout the world, a clearer analysis of what is taking place than I have been able to get from other sources.

Reds Busy in Italy

You, of course, know the crisis through which the United States is passing. But the crisis in Italy and Germany has become so acute that it is forcing their rulers into drastic efforts to stave off the crash. Frenzied capitalist economy, like frenzied finance, comes inevitably to a pyramiding stage when it must pile more exploitation upon exploitation by reaching out for new fields of operation.

Two Italian Communist delegates here, Ercoli and Batista, state that the whole Italian national economy has been subordinated to the purpose of the Ethiopian campaign, but that the Communist Party in Italy is explaining this to the masses and mobilizing them to fight these war plans.

Reports from Communist leaders from practically every country, including Germany, could not help leaving the impression that Ethiopia's greatest ally, and that one to which Europe is giving most concern, is the militant and powerful manner in which white, black, brown and yellow workers are lining up against an Italo-Ethiopian war in Africa.

Where Reds Stand

When I left America there was much speculation as to where the Communists stood as to Ethiopia. There was also some speculation as to where the Union of Soviet Republics stood as to oppressed colored people in America and other sections of the world, now that Russia is setting up diplomatic relations with many capitalistic countries.

I am not a member of the Communist Party. In fact, there have been times when I have had to lock horns in controversy with members of the American section of the party. But it is my earnest conviction that Russia stands today as the nation most actively, militantly and effectively opposing Italian plundering of Ethiopia.

There was also some speculation as to what changes recently established diplomatic relations with the United States would have on the policies of the American Communist Party.

Let me quote V. M. Molotov, Chairman of the Council of People's Commissars, the official here which corresponds with our Secretary of State:

"We did not find it necessary in establishing these relations to modify our position or make any sacrifices."

Molotov cited what he called the prime purpose of the Soviet Republic in a part of the constitution as follows:

"To abolish all forms of exploitation of man by man, to put a complete end to the division of society into classes, mercilessly to crush the exploiters, to establish a socialist organization of society and to achieve the victory of socialism in all countries."

Said he:

"The Soviet constitution then firmly announces the complete abandonment of the bourgeois policy of annexation of colonies and the abolition of all restrictions on race and nationality."

Has Peace Program

The Soviet government is committed to a peace program and restricts itself to the use of arms solely for defensive purposes. The entire equipment of the Red Army is based upon defensive tactics.

Nothing, however, which I have learned since leaving America has struck me with greater force than what I have observed in connection with the militant effectiveness of the political legions of the international Communist organization.

World-Wide Hook-up

Those who recall the Scottsboro and Herndon cases in America know that the wide offensive against racial proscription set going by this international hook-up startled the world. The same world-wide hook-up is operating in the Ethiopian case and one of the results has been a raking exposure of Italy as an international criminal and the creating of conditions in many countries which will make it extremely dangerous for Mussolini to dare carry out his rape on that African country.

Practically every speaker at the congress coming from other countries reported definite activities in opposition to the Italian campaign.

Group in America

This naturally brings me to a conclusion which touches our group in America.

Socialized Russia, covering one-sixth of the face of the earth, is here to stay. Not only is it here to stay, but, like America following its revolution, it is bound to affect the human relations of every human being in the world.

People won't be satisfied with an inefficient brand of human relations when they see another group using a more efficient brand no more than they would be satisfied with a poor dwelling when they can procure a better one.

Work for All in Planned State

In a world of governmental depressions, when the weaknesses of old systems are resulting in national breakdowns, class and racial clashes and much suffering, Russia has succeeded in developing a planned state where there is work for all, leisure and culture for all, a satisfactory distribution of food and housing, and what is more important to us, the country has completely abolished the damnable evil of racial discrimination.

I do not think it stretches the issue of patriotism anywhere for one to carefully and honestly examine what Russia is doing with a desire of bringing about a better state of affairs in one's own country.

Draws Line

More than this, at the present time, when every country is being pushed toward either the socialistic or fascist form of government, our group in America cannot afford not to consider with deep concern, the direction we would prefer our own country to go.

In America, in particular, the question must soon be settled with a sharp decision, one way or the other. The old order is passing. Whether one is a Republican or a Democrat, a good church member or a good lodge man; or whether he or she is a member of the N.A.A.C.P. or the Urban League, the common issue among all colored Americans should be, can we unite on any battle front which will eradicate racial discrimination and economic oppression?

World Movement is Toward Brotherhood

If this is true, then it seems to me that the only logical course we can take is, not only to strenuously oppose those who are turning toward fascism, but turn directly into the path socialized Russia is going.

The world movement toward human brotherhood of all races which the Communists are leading today is the only way out. It is not necessary to be a Communist or a revolutionist to see this. All we have to do is to recognize the facts about us.

Communists.

Labor – 1935

Unions. Strikes, etc.

James W. Ford Hails Proposals For a National Negro Congress

Attacks Booker T. Washington Theories of Dr. Dubois

By JAMES W. FORD

The three-day national conference at Washington, D. C. at which "The position of the Negro in the National Economic Crisis," was discussed closed Monday May 20th. There were over 175 delegates present. The conference was called by the Joint Committee on National Recovery and the Social Science Division of Howard University. The Joint Committee on National Recovery is not connected with the government. It was organized about a year ago for the purpose of analyzing the effects of the N.R.A. on the Negro people.

The outstanding achievement of the conference was the sentiment developed for the convening of a National Negro Congress. A committee was set up, for the purpose of drafting a proposed call to a large number of individuals and organizations inviting their cooperation to participate in a final call.

Previous to the conference Mr. John P. Davis, executive secretary of the Joint Committee on National Recovery, had written an article in the April issue of the Crisis Magazine, mimeographed copies of which had been mailed to prominent Negro leaders throughout the country, in which the idea of a National Negro Congress was mentioned.

The idea of a National Negro Congress is not new. The Communist Party has long seen the need of the Negro people to coordinate the activities of their various organizations around a program for Negro rights. On January 18th, in a debate with Messrs. Frank R. Crosswaith and Oscar De Priest in New York, the writer, expressing the opinion of the Communist Party, made public the announcement that the time was ripe for such a congress.

The most logical thing, therefore, that came out of the militant discussions of the conditions of the Negroes in the economic crisis was the step taken to organize the National Negro Congress.

Negro Toilers Lead Attack

The congress gave a summary of the misery and suffering of the Negro people under the new deal. The following topics were discussed: "A Survey of the Problems of the Negro People Under the New Deal" by John T. Davis; "The Negro Industrial Worker" by Dr. A. Howard Meyers, Mr. T. Arnold Hill and Mr. A. Phillip Randolph; "A Symposium of Negro Workers and Farmers Under the New Deal," in which participated a Negro needle trade worker from Forrest City, Arkansas, a Negro tobacco worker from Durham, N. C., a Negro domestic worker from New York City, a Negro steel worker from Pittsburgh, Pa., a Negro laundry worker from Washington, D. C., a Negro sharecropper from Lauderdale County, Ala., an unemployed Negro worker from Baltimore, Md., a Negro farmer from Panola, Miss.; "America's Negro Farm Population" by Miss Olive Stone, Mr. L. L. Wilson and Dr. E. Franklin Frazier; "The New Deal, Social Planning and the Negro" by Mr. Charles Pynchon, Mr. Frank Tannenbaum, Miss Berta Asch and Dr. Ralph Bunche; "What Kind of Social Planning Best Suits the Needs of the Negro" by Dr. W. E. B. Dubois and Dr. Abram Harris; "Domestic Labor, Unemployment and Relief" by Miss Mary Anderson, Mr. Edward Lewis and Mr. Albion Hartwell; "How May We Improve the Status of the Negro Workers and Farmers" by Norman Thomas, James W. Ford and A. R. McKenney.

The presence at the conference of Negro industrial workers and farmers was highly significant. They brought striking stories of the misery suffered of Negroes under the New Deal and of their methods of struggle against terror. Although there is still much confusion among the Negro intellectuals as to the working class and its role, their speeches at this conference showed that there is emerging a clearer understanding on their part of the leading and decisive role of the workers and farmers in the liberation movement of the Negro people of this country.

Another feature of the conference was the fact that the old line reactionaries were silenced and routed. It was rumored that the reactionaries had intended to heckle militancy and progressive pronouncements. At the opening session, John P. Davis, declaring that the delegates must not bound their intellectual horizon by the capitalist scheme of things, brought to his feet Dr. Kelly Miller, an old-time educator and reactionary, who demanded that they stay within the bounds of Christianity, democracy and the constitution.

But the reactionaries did not accomplish their aim. Their antics were dull compared to the progressive pronouncements of the great body of the conference.

McPherson Answers Negro Misleaders

Robert Dunn, summarizing the second session on the Negro industrial worker, called attention to the fact that the N.R.A. "brought about a tremendous increase in profits" while increasing Negro and white mass poverty. He also criticized the top leadership of the American Federation of Labor and cited the need of unity with the "main stream of the labor movement," in the Federation's ranks. To Dr. Meyers, who had declared that the real enemy of the Negro is not the employer, it is rather the prejudice of the whites," Dunn replied that "it is unity that is ultimately going to wipe out this poison from the blood of the white worker as they realize that the employer is the common enemy of the black and the white worker." In later sessions James W. Ford made a scathing attack upon Kelly Miller who declared that the whites are the enemies of the Negro workers and Dr. Dubois who likewise looked upon the white workers as the enemies of the Negro people. He showed that Dr. Dubois and Dr. Miller were the counterparts, among the Negroes, of the leaders of the American Federation of Labor among the white workers causing a schism between the two.

Industrial workers backed up this position by telling how they are uniting now in the mills and in the picket line among the rank and file members of the A. F. of L. unions. Vice-President McPherson, Negro secretary of the recent rank and file convention of the Amalgamated Association of Iron, Steel and Tin Workers, told how Negro and white workers in the steel industry are fighting both the trusts and their reactionary president, Mike Tighe.

Ford's Speech at Closing Session Shows Way Out

The clash of ideas as to which way out for the Negroes was between the speeches of James W. Ford, representing the Communist Party, and that of Dr. W. E. B. Dubois. Dubois made an attempt to develop the traditions of the Negroes but it was an incomplete analysis.

He declared that he "began to advocate a new social program as early as 1928," and that he "was by no means clear in my thinking, but was groping for light and for that reason had visited Russia, had begun the study of Karl Marx and had voted the Socialist ticket since 1912."

Dr. Dubois made a sharp attack upon the Communist Party of the United States. He said that "one of the worst things Negroes could do today would be to join the Communist Party or any of its branches. The Communists of America have become dogmatic exponents of the inspired words of Karl Marx as they read it. They believe, apparently, in immediate, violent and bloody revolution and they are willing to try any and all means of raising hell anywhere and under any circumstances.

"This is," he said, "a silly program even for white men. For American colored men, it is suicide."

In making this untrue attack upon the Communist Party, Dubois contradicted an early part of his speech where he said: "We must not forget that the last effective act of violence which the slaves used was their mass movement during the Civil War which added 200,000 soldiers and even larger numbers of servants and laborers to the Union Army."

Dr. Dubois concluded with his segregation program, the position of Booker T. Washington 30 years ago:

"So to organize the vast consumers' power of this group as to secure wide, economic independence through the exchange of services and the exchange of manufactured goods."

"If segregated homesteads and segregated land will give us more secure employment and higher wages, we cannot for a moment hesitate. If segregated schools will give us better education, then we must have segregated schools. If segregated housing will give us decent homes we have no right to choose for our children and our families slums for the sake of herding with the white unfit. Our first business is, in the midst of the great economic revolution which is going on, to secure a place for ourselves."

Revolutionary Traditions of the

James W. Ford in his speech developed the traditions of struggle of the Negro people, showed the fallacies of the past arguments of Dr. Booker T. Washington and the present-day arguments of Dr. Dubois. Ford analyzed in detail the effects of the New Deal on the Negro farm population and the industrial workers.

"The only class in American society today that can change conditions is the American working class," declared Ford. "The most important ally of the working class is the Negro people. The struggle for the change of the land system and the freedom of the Negro people, and the working class struggle in the country as a whole will develop hand in hand. The revolutionary way has not been strange to the Negro people in the United States. Rebellion and revolutionary struggles have glorified their history."

Ford concluded with support to the National Negro Congress. "There may be those here," he said, "who cannot go all the way on such a program which has been outlined, but maybe we can find a minimum basis of cooperation."

"The struggle for Negro freedom and Negro rights depends upon the organization of the masses to struggle for their immediate needs—better wages, unemployment and social insurance, civil rights and equal rights, etc. These daily struggles are a most important part of the struggles of the masses. These struggles are conducted by trade union organizations, Unemployment Councils, and through the various mass organizations of the Negro people.

"I believe therefore the time is ripe for the calling of a National Negro Congress where a minimum program could be worked out on the basis of which the cooperation of all organizations could be achieved to carry out in action the struggle for the rights of the Negro people."

COMMUNIST ACTIVITY EXPLAINED BY COUNT

Rotary Hears Story Of Former Officer In Black Hussars

Communists have organizations in 500 American cities and are working constantly to spread their propaganda and add recruits, a former officer of the Russian Black Hussars told the Birmingham Rotary Club yesterday at the Tutwiler Hotel.

The speaker was Count Anastase Von Sistsky, head of the executive committee of the Russian Fascist World organization. He now is a citizen of the United States and a resident of Connecticut.

The Communists, Count Von Sistsky declared, are working in labor unions, summer camps for boys and churches. They are working among the Negroes in the South, he said, and among certain elements in other sections to build up a party strong enough to bring about a revolution.

'I'm a Red!'

The Editor Speaks

"Did you attend the banquet given to Ford, vice-presidential candidate of the Communistic party?"

"Right."

"Who invited you?"

"I do not remember, but I think it was the editor of The Chicago Defender."

That dialogue was part of the investigation into "Red" activities in Illinois colleges which opened here last week. The interrogator was an attorney for Charles Walgreen, noted drug magnate, who had caused the investigation, and the person being questioned was Professor Frederick Schuman of the University of Chicago.

Immediately following publication in the daily press of the question and answer pertaining to The Chicago Defender, the editor of the Defender was besieged with questions from friends, enemies and well-wishers in Chicago.

"Are you a Red?" they wanted to know. "Did you invite Prof. Schuman to a Communist banquet? Are you interested in the overthrow of the United States government by revolution? Does The Chicago Defender advocate Communism as the solution to the Race problem in America?"

Categorically, the editor answered the questions: "I may not be a 'Red' in the sense you understand it—but my BLOOD is red. I don't know whether or not I invited Prof. Schuman to a Communist dinner. I do know that, using the popular American conception of the term, any dinner to which Prof. Schuman and I might be guests at the same table could easily be termed a Communistic dinner. The American people, I realize, have a knack of using terms which, to them have odious implications, in connection with any situation which they do not like. They do not like the idea of intelligent men and women of the two dominant races in this country sitting down to dinner together—hence, such an occasion could easily be termed a "Red" dinner.

"I have never advocated the overthrow of the United States government by revolution or by any other means. I have sacrificed too much to keep this country together to be subject to that charge. I have suffered....I have bled.....I have died that this country might live—why should I advocate its overthrow by revolution? It was the Rebel South that tried to overthrow this country —and is still trying to overthrow it, not by war but by subversive tactics.

"The man who denies me my rights is the real enemy of this country. The man who says I have no right to work, to play, to live and enjoy the fruits of my labor, that's the man who is the real enemy of this country. The man who says my children must attend inferior, separate schools, and that I must be taxed to support this vicious dual system is the real enemy of America.

"The man who says I must work for inferior wages and submit to cruel, inhuman treatment—that's the man to watch. The man who says I may be hanged, shot without due process of law—the man who says my wife, my daughter and my sister may be despoiled at the whim of a white ruffiian, and that I may not even protest—it is he, not I, not Prof. Schuman, who seeks to overthrow our government.

"Will Communism solve the Race problem in the United States? Who knows? Certainly no other agency at present seems to be putting forth much effort to solve these problems. Day in and day out I learn of lynchings, of new peonage outrages, of rapine and of murder. Day by day I see evidences of man's inhumanity to man under the present order, and yet those high in authority seem to be oblivious of my efforts to wipe out these injustices.

"What I want is FREEDOM—freedom of mind as well as of body. I want to be a real part of the community in which I live and in which I must die. I want to take my place in the great parade of civilization—not as a side issue—but as an integral force in the movement of that parade. Call that radicalism—call it Communism—call it what you will. To me it is the greatest force in life. I hope I may never lose it!"

CLEVELAND, like several other large cities, is in the throes of a red scare, this time without the direct assistance of Mr. Hearst. The Cleveland Chamber of Commerce and the Associated Industries have issued a report revealing the existence of a "Secret Seven" who represent the city's "better elements" in mortal combat against "subversive activities." This document denounces the activities of "reds," "pinks," and "liberals," and discloses preparations for putting down an expected "rebellion." It also declares that trade chambers in other cities are planning similar action. The report naturally aroused derisive laughter when it appeared, but two days later the Cuyahoga County commander of the American Legion admitted that Legion posts were drilling in uniform for this rebellion-breaking service, and added that arms were easily accessible. The laughter died away. The anti-red program was read again, with its proposal to outlaw Communists and their literature, to suppress "intellectual pinks" by prosecution under the Ohio criminal-syndicalism law, and to carry the fight to schools and churches by a public-education campaign. Cleveland labor has been aroused by the "Secret Seven" and has joined with liberal forces in a counter-offensive. The City Council has ordered an investigation of the Chamber of Commerce's activities, and measures have been introduced in the state legislature to repeal the war-time sedition law. The Nazi-like tendencies in Cleveland have been unearthed in time and are apparently being scotched; it is to be hoped that other cities will profit by the example.

LABOR PARTY WITH NEGRO EQUALITY PLANK DEMANDED

NEW YORK - (CNA) A demand for absolute equality for Negroes embodied in a Bill for Negro Rights as an integral part of a ten-point program for a united front Labor Party, was made here today by Earl Browder, general secretary of the Communist Party U.S.A., addressing a meeting of over 5000 Negro and white Communists and Socialists and sympathizers.

Other points included in the program, which would also vitally affect Negroes, include:

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Labor-1935.

Communists.

Unions, Strikes, etc.

'Red Scare' of Hearst, Farley Hides Speed-up in Post Office

Head of Independent Union Aids Terror Against Clerks

Daily Worker

By "POST"

"Communists, commonly known as 'Reds,' have been found in the ranks of the Postal Employees and in the various Associations connected with the service. They are at present concentrating on the Associations in order to secure a foothold, they are boring from within. 11-9-35

"All branches of this Association will please be careful of these Red-eyed demons who are very suave and who pretend to be real Americans until they get on the inside and once inside, will endeavor to foist their gospel upon you. All of our members are requested to act as Minute Men or Crusaders, keeping a watchful eye and report their presence to their officers."

New York

This gem (and it does sound like Hearst) comes from John J. Barrett, national President not the United National Association of Post Office Clerks (U. N. A. P. O. C.) Barrett indulges in vicious attacks on the A. F. of L.

Post Office Raises Red Scare

This Association is an independent union of Postal clerks, one of many craft unions in the Post Office. Most of them however are affiliated to the American Federation of Labor. Many of the Postal workers in the U. N. A. P. O. C. are aware of the openly reactionary policies of the leadership and their consistent refusal to develop militant struggles around the grievances of the workers. A great section of the membership has started a campaign against these conditions in order to build a genuine fighting union.

Thus, the Red Scare was deliberately raised by the Post Office Department and followed up by John Barrett who is backed by the Hearst press, because the clerks and other Postal workers are beginning to take an active interest in their unions and in their working conditions. The opening shot was fired by the Post Office officials at the various conventions of the Postal Unions held in September where they spoke as invited speakers. At each convention, whether of the Letter Carriers (A. F. of L.) Federation of Post Office Clerks (A. F. of L.), or the above mentioned U. N. A. P. O. C. (independent) they laid down the law: every Postal and Governmental employee is a G man (their own words) and must help the government drive the Reds out of the Government service. In other words, the Postal Department tried to make the unions into agencies of spies and stool-pigeons.

G Man Number One

John J. Barrett ($10,000 a year) G man No. 1, self-appointed Chief Crusader against the "Red-eyed demons," lost no time in starting his red-baiting campaign. Barrett has built up a dictatorial machine which acts as "agents-provacateurs" for the Department. Members are ruthlessly expelled when they disagree with the machine rule and their elementary trade union rights are vigorously denied.

When members of the union are faced with rank frame-ups and dismissals, this reactionary leadership comes to the rescue not of the employee, oh no, but the Department. Did not Johnny Barret, coy friend of Willie Hearst and whose ravings Hearst now publishes in his filthy press, state at the recent convention of the U. N. A. P. O. C. that the first concern of the organization was the government and then its members.

What else does Barrett strive for? Is it unity? That is what the members and all Postal employees want. One industrial union for all Postal workers. Especially is this so among the clerks where we have two clerks' organizations, the U. N. A. P. O. C. and the Federation (A. F. of L.). Unity of the postal workers inside the A. F. of L., where American labor is organized, would strengthen the fight of the postal workers for their demands.

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Disgust With New Deal

The Post Office Department seeks to Red in the Post Office and blames the "Reds" for the low morale of the men. The truth is that the great majority of men are disgusted with the New Deal and its rotten political machine running the Post Office. They have not forgotten the 25 and 35 per cent cuts inflicted upon them by Roosevelt and Farley. Speed-up in the Post Office has also been intensified since the New Deal. The carriers especially are speeded up and are forced to carry double loads at break-neck speed. Farley stated that more jobs would be created as the result of the 40 hour week but the only ones getting these jobs are the members in good standing of Democratic clubs. The Department is holding a competitive Civil Service Examination, but these political appointees will receive an illegal preferential rating. Not only in the Post Office but throughout the entire government service a tremendous bureaucracy is being set up, forming the backbone of Roosevelt's Political Machine.

Political Graft

Because the Postal workers have begun to fight collectively against the inhuman sweatshop conditions, the Department has instituted a reign of terror and dragged the Red Herring to the front. With the flimsiest of excuses, intimidations and frame-ups have been unleashed in the New York Post Office. Instead of combatting this anti-labor activity of the Department and the Government, the reactionary leadership of the Postal Unions, a la Johnny Barrett, are vigorously assisting the Department's Red Scare drive.

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These fascist tendencies must be met by the membership in answer to this turning a deaf ear to the Red Scare and is even more strongly ther.

Post Office workers have been accused of disloyalty by the Department. All labor unions should send in their protests against this terrorization, to Farley and to Albert Goldman, the New York Postmaster. The masses of workers must realize that they owe their allegiance and loyalty to the employees and farmers. All organizations of workers must serve and not to the stop this government smashing of whom they serve and not to the handful of bosses' politicians sit-

Labor-1935. Communists.

Unions, Strikes, etc.

'Red Scare' of Hearst, Farley Hides Speed-up in Post Office

Head of Independent Union Aids Terror Against Clerks

Daily Worker

By "POST"

"Communists, commonly known as 'Reds,' have been found in the ranks of the Postal Employees and in the various Associations connected with the service. They are at present concentrating on the Associations in order to secure a foothold, they are boring from within. 11-9-35

"All branches of this Association will please be careful of these Red-eyed demons who are very suave and who pretend to be real Americans until they get on the inside and once inside, will endeavor to foist their gospel upon you. All of our members are requested to act as Minute Men or Crusaders, keeping a watchful eye and report their presence to their officers.

New York

This gem (and it does sound like Hearst) comes from John J. Barrett, national President of the United National Association of Post Office Clerks (U. N. A. P. O. C.) Barrett indulges in vicious attacks on the A. F. of L.

Post Office Raises Red Scare

This Association is an independent union of Postal clerks, one of many craft unions in the Post Office. Most of them however are affiliated to the American Federation of Labor. Many of the Postal workers in the U. N. A. P. O. C. are aware of the openly reactionary policies of the leadership and their consistent refusal to develop militant struggles around the grievances of the workers. A great section of the membership has started a campaign against these conditions in order to build a genuine fighting union.

Thus, the Red Scare was deliberately raised by the Post Office Department and followed up by John Barrett who is backed by the Hearst press, because the clerks and other Postal workers are beginning to take an active interest in their unions and in their working conditions. The opening shot was fired by the Post Office officials at the various conventions of the Postal Unions held in September where they spoke as invited speakers. At each convention, whether of the Letter Carriers (A. F. of L.) Federation of Post Office Clerks (A. F. of L.), or the above mentioned U. N. A. P. O. C. (independent) they laid down the law: every Postal and Governmental employee is a G man (their own words) and must help the government drive the Reds out of the Government service. In other words, the Postal Department tried to make the unions into agencies of spies and stool-pigeons.

G Man Number One

John J. Barrett ($10,000 a year) G man No. 1, self-appointed Chief Crusader against the "Red-eyed demons," lost no time in starting his red-baiting campaign. Barrett has built up a dictatorial machine which acts as "agents-provacateurs" for the Department. Members are ruthlessly expelled when they disagree with the machine rule and their elementary trade union rights are vigorously denied.

When members of the union are faced with rank frame-ups and dismissals, this reactionary leadership comes to the rescue not of the employee, oh no, but the Department. Did not Johnny Barret, coy friend of Willie Hearst and whose ravings Hearst now publishes in his filthy press, state at the recent convention of the U. N. A. P. O. C. that the first concern of the organization was the government and then its members.

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These fascist tendencies must be stopped before they spread further.

Labor - 1935

Unions, Strikes, etc.

Communists.

Southern United Front Plans Broad Campaign For Rights of Toilers

Mass Conference in the Spring Will Fight for Constitutional and Trade Union Liberties of Negro and White Masses

By Nat Ross

ON DEC. 29, a conference of a number of leading southern Socialists and a representative of the Communist Party in the South was held at Highlander Folk School, in Tennessee. The main question before this conference was the development of the United Front in the South.

The conference enthusiastically endorsed the statement adopted in Chattanooga, on Dec. 6, as a result of a meeting between representatives of the C. P. and Socialist Party, in which leading Socialists of five southern states, as well as leaders of the Revolutionary Policy Committee of the S. P. including its National Secretary, called on the Socialist organizations in the South to start negotiations with the C. P. on a six-point program for joint struggle for the immediate needs of the southern masses.

The Dec. 29 conference went a step beyond the December 6 conference, as seen in the following quotation from the letter which is to be sent to each state committee of the S. P. in the South, and which is signed by Myles Horton, member of the Executive Committee, S. P., Tennessee, and director of the Highlander Folk School; Zilla Hawes, Southern Labor Secretary, S. P., Tennessee, and leading A. F. of L. organizer, James Dombrowski, S. P., Tennessee, and Secretary of Highlander Folk School:

"We, the undersigned members of the S. P., call upon the state executive committees of all southern states to call a special session for the purpose of effecting a United Front between the Socialists and Communists and other working class groups within each state. We suggest as a basis for United Front action the issues which were agreed upon at the Chattanooga conference. . . . Point number one (struggle against war and fascism) is being made concrete in the preparation of a broad United Front conference in the South against lynching and for Trade Union and Constitutional rights. . . . We would call the attention of State Executive Committees to several significant steps taken recently to effect such a United Front in the South. . . .

"In submitting this letter we feel that we are voicing the sentiments of the majority of Socialists and Communists in the South, as well as all honest trade unionists."

* * *

The Basis for the United Front

WHAT is at the bottom of the important actions taken at these two conferences?

1. The capitalist attack on the living conditions of the masses is more severe in the South than elsewhere, and only a united, militant struggle can prevent the carrying out of this fascist attack. On the very day of the conference at Highlander Folk School, the press printed the declaration of policy of the Southern States Industrial Council. The first two points in its six-point program of southern capitalists are: One, a fight to widen the wage differential, and two, war against the labor unions. Under point one, J. F. Ames, of the Selma Manufacturing Company, declared that a subnormal code for southern labor, both white and Negro, but primarily the latter, should be established, with a $9.50 a week wage for men, $8 for women, and $6 for boys and girls.

2. In the recent struggles in the South, especially the big strikes, there developed a fighting unity between white and Negro workers never before seen in the South.

3. The splendid united front actions undertaken jointly by the S. P. and C. P. in New Orleans, and the growing friendly relations established between the Share Croppers Union in Alabama, under Communist leadership, and the Southern Tenant Farmers Union of Arkansas, under Socialist leadership.

4. In the past few years the prestige and influence of the C. P. has grown enormously in the South as a result of our correct position and active role in a number of big strikes, in the share croppers' struggles, and in the fight for the freedom of the Scottsboro boys. It should be noted that it was precisely our correct understanding of the Negro question, of the struggle for equal rights for Negroes—as a precondition and at the same time an essential part of the struggle for unity of the southern labor movement—that stimulated the whole class struggle in the South, and brought the proletarian masses closer to the C. P.

Horton Hails C. P. Work

A few examples will indicate the prestige the C. P. in the South. In a recent letter, Myles Horton mentions his recent speeches at Smith College and Union Theological Seminary on the labor movement in the South, in which he declared that "the best radical work in the South was exceptional work being done by the C. P. in the Birmingham area."

H. L. Mitchell, Secretary of the Southern Tenant Farmers Union, and also of the S. P. in Arkansas, in his letter to the Secretary of the Share Croppers Union, acknowledges the superiority of the fighting demands of that union, and in his recent letters says the following:

"The S. T. F. U. . . . accepts your proposals for united action on your program. . . . Our members are not as far advanced as yours are, but given time they will learn. . . . I certainly appreciate the material sent me on the S. C. U. organization and methods of working. They will be a great help in other places where we do not have a strong enough position to remain above ground. . . . Some men from —— section came to see me a few days ago (about starting the organization). . . . I gave them a line-up similar to your own."

5. And finally, one of the main reasons for the possibilities for immediate development of a real united front movement in the South is the fact that the Lovestone disrupters are not in the South at all and the relative weak hold that the old guard Socialist leadership has over the many southern Socialist leaders. No doubt this explains why Lovestone declares editorially, with the criminal levity of an adventurer: "The so-called 'United Front' entered into by Nat Ross, Communist Party organizer in the South, on the one hand, and certain outstanding revolutionary Socialists on the other, must bring grave concern to all sincere advocates of the unity of labor."

* * *

Its Immediate Effect

WHAT already has been the effect of the Chattanooga Conference? The united front development has generated tremendous enthusiasm among large sections of workers, who seem to grasp instinctively the importance of these actions. At the same time this united front progress has stimulated real political and theoretical discussion among the southern workers. Such questions as the difference between the S. P. and C. P., questions concerning the state, the dictatorship of the proletariat, bourgeois democracy, and so on, are more and more being discussed as a result of the united front progress.

The biggest step forward in regard to the united front has been the enthusiasm with which trade Unionists have embraced these first steps toward the united front. Perhaps the most significant step in this direction, growing out of the united front developments between the C. P. and the S. P., in connection with the Congress for Unemployment and Social Insurance, is the fact that a whole bloc of members of the Birmingham (Ala.), Trades Council, who represent the most militant and honest unionists in important unions in the industrial heart of the South, came out openly in support of the Congress and in the struggle for unity in the trade union and unemployed movement, which is now under way in the Birmingham region.

Expect Mass Conference

The results of the Chattanooga conference is seen by the endorsement given it at the Highlander conference, the acceptance of the program of six demands, the laying of a basis for further conferences to carry out the proposals adopted, and to develop broader mass action in the South, and especially in participation in the preparations for the South-wide conference against lynching and for trade union and constitutional rights, to be held in Chattanooga in the Spring.

Here it is hoped to involve the International Labor Defense, National Association for the Advancement of Colored People, League Against War and Fascism, C. L. U., a vast number of other cultural, social, religious, fraternal and unemployed organizations, and above all, the trade unions. Referring to this conference, Ray Koch, writing for Commonwealth College, says: "Such a conference is really a good move to consolidate the very scattered forces in the South that are opposed to terror and the open shop. You have my full cooperation (and that of Commonwealth College)."

Already in its first stages the united front struggle in the South is completely rejecting the advice of the Lovestone disrupters of the united front, as well as the unfortunate statement appearing in a recent bulletin of the R. P. C., which states that: "The fundamental basis of the southern undertaking (Chattanooga conference) is incorrect"—a statement which will please the heart of the Socialist old guard.

More and more the southern masses demand unity. The southern rank and file Socialists are demanding the united front. Many Socialists in the South are working together honestly and sincerely with the Communists. The C. P. with all the forces at its disposal and with every ounce of its energy will carry on a tireless fight to unite the southern workers by building the main instrument that can unite them—a powerful united front of militant struggle.

WASHINGTON, D. C.
POST

MAR 4 1935

Communism And Jitters.

From Moscow comes word that the Communist Party is definitely ascending in the United States. In the opinion of the New York correspondent of the official Soviet newspaper *Pravda*, the revolutionary party during the past year has succeeded in making substantial advances into the ranks of American workers, particular gains being noted in Negro neighborhoods. The dispatch further indicates that the party has taken the leadership along a "broad front" in a fight for social insurance and that its ideas are now considered sober and its method practical by "the broad masses." The popular fear of the Red has disappeared, the article concludes.

Except for the conclusions, this round about news jibes in some measure with the mounting outcry, particularly legislative, heard daily in this country. The correspondent erred, however, in reporting that the popular fear of the Red is subsiding. As a matter of fact, the reaction toward Communism tends more toward the hysterical. In these circumstances, it is refreshing to hear the calm words of Representative Maverick, of Texas. Speaking in Congress the other day, he declared that no extraordinary legislation is required, as certain of his colleagues are demanding. The American people have a case of jitters, he said, pointing out that there are only 24,500

Communists in the country and they are all "crackpots."

Specific assertions that Communist influences are penetrating the Army and Navy may not be too blandly dismissed, however. Revolt and sedition in defense lines is a serious business under any circumstances. But certainly hysterical legislation would only add to the danger, if any. A little less drill and a little more attention to teaching buck privates citizenship and history might be the best insurance. Failing this, the guardhouse or kitchen police can not yet be defunct items of military organization.

Ford Brands Seizure of 'Important Papers' As Police Lie

James W. Ford, Negro organizer of the Communist Party in Harlem, stated yesterday that the Party is carrying on its activities as usual, despite attempts by the police to terrorize the Party members and all workers in Harlem through mass arrests, unlawful raids on workers' headquarters and claims by the police raiders that "important documents" had been seized in the raids.

Declaring that the Party has nothing to hide, that its leaflets have been distributed publicly, Ford denied that any documents other than leaflets and releases to the press had been seized by the police, and branded the claim that "important documents" had been seized as an evident attempt to concoct a frame-up against militant Harlem workers and their leaders. His statement follows:

Work Goes On

"The Communist Party section of Harlem is carrying on its activities as usual. The Workers' Center at 415 Lenox Avenue is open and has been open all week.

"The police and the press are trying to create a 'Red Square' in order to distract attention from the real causes of Tuesday's outbreak by the starving Negro people of Harlem.

"On Friday about noon, agents from the District Attorney's office ransacked the desks of the Party headquarters. They claimed to be seeking the Young Liberators and 'evidence' in connection with Tuesday's outbreak. They questioned the comrades about leaflets, etc. ransacked desks and pried open the literature case and took copies of various pamphlets. They also seized a typewriter.

"No one was arrested. The visit which was in effect a raid, was ordered by District Attorney Dodge.

"The Party membership and the workers of Harlem as a whole are maintaining the strictest discipline. We refuse to be provoked by the 'Red-baiting' tactics of the Tammany District Attorney, who has found Tuesday's events such a convenient pretext for dropping the 'investigation' of the number racket and other robberies of the people of the city of New York.

Causes Well Known

"Nearly everyone in Harlem is forced to admit the correctness of the analysis made by the Communist Party on Wednesday, that the basic causes of Tuesday's outbreak lie in the terrible economic and social conditions inflicted by jim-crow oppression upon the people of the community.

"In addition, the high indignation against the terroristic acts of the police has been brewing for months. There is hardly an organization in Harlem that has not raised in its membership meeting the question of police violence against the Negro people.

"This indignation has grown with increased police brutality, raids on the homes and social affairs of Harlem workers, beating up of Negro men, women and children by LaGuardia's uniformed thugs and plainclothes men. Stool pigeons and plainclothes men have raided meetings of white and Negro persons, arbitrarily declaring that there will be no 'mixed meetings' in Harlem. These attacks, aimed especially to break the growing unity of Negro and white workers, have been carried out under the pretext of a drive against 'crime.'

"The Harlem Section calls upon its membership and the entire people of Harlem to continue to maintain iron discipline in our ranks, at the same time militantly defending the rights of the Negro people of Harlem, protesting the frame-up and railroading to prison sentences of Negro and white victims of the police mass arrests and raids. Demand a halt to jim-crow practices in relief and jobs! Demand equal and adequate relief for all workers, Negro and white! Demand the release and the dropping of all charges against the workers indicted by the New York Grand Jury! Demand a real investigation, open and above board, of the appalling economic and social conditions in Harlem! Defend the Negro people of Harlem! Defend the Communist Party, the best fighter for the rights of the Negro people, for the interests of all sections of the toiling population!"

U. S. Violates Gallup Pledge

(Special to the Daily Worker)

SANTA FE, N. M., May 20.—Two hearings on deportation charges have so far been completed before N. D. Collear, El Paso District Supervisor of the Bureau of Immigration, those of Jesus Pallares, district organizer of the Liga Obrera, and of Doroteo Andrade, witness in the Gallup case, who was wounded by deputies in the shootings of April 4.

This is a direct violation of the pledge made in Washington by the Department of Labor that no deportation proceedings would be taken against witnesses in the Gallup trials.

In the case of Pallares, Collear, acting as examining magistrate, entered the following statement as evidence upon which he himself will base his deportation recommendations to the Department of Labor:

"My survey of Communist activities in New Mexico, conducted early this year, established that Jesus Pallares was one of the most active and obnoxious agitators in the State."

This undoubtedly refers to Pallares' activity in organizing the demonstration in February which defeated an impending criminal syndicalism bill. Only Friday night, progressive State Senator Juan A. Sedillo, who had been lauded for having defeated the criminal syndicalism bill "single handed," stated before a meeting of the local Civil Liberties Union that on the contrary he had been resigned to the bill's passage since a majority of the Senate had already approved it in steering committee, and that if it had not been for the workers' demonstration which filled the galleries during consideration of the but there would undoubtedly be a criminal syndicalism statute in New Mexico today.

Pallares was placed on $1,000 bond pending action by the Department of Labor.

Andrade Shot by Sheriff

In the Andrade case, Collear acted not only as examining officer, but it turned out that it was Collear, who had originally asked for a warrant of arrest, who had taken Andrade into custody following his discharge after preliminary hearing on April 24, who acted as interpreter in the deportation hearing since Andrade speaks no English, and who will make the recommendation concerning deportation to the Department of Immigration.

Yet Attorney David Levinson of the International Labor Defense was forced to make an impassioned plea before the old man was finally released on his own recognizance. Evidence introduced against Andrade included copies in English of "Why Communism" and "Program of the Third International" although Andrade cannot read or even speak English.

Probability of a grand jury investigation in Gallup of the kidnaping of Robert Minor and Levinson who are here to defend ten workers framed on murder charges, lessened today as State Attorney General Patton remained inactive following his statement late Friday that in his opinion any grand jury investigations should follow and not precede the trial of the ten Gallup workers in the murder case and four on other charges.

Press Barrage Continues

In view of this palpable threat to persecute further the working population of Gallup, it is now finally clear that any grand jury called in Gallup and guided by the Attorney General who is also the prosecutor of the fourteen defendants, will go far afield to avoid identifying or indicting the kidnapers but will use its office in the interests of the corporation-dominated Gallup ruling call.

Magistrate Henry Fines Communists

PHILADELPHIA—Police of the Twentieth and Fitzwater Streets station broke up a Communist meeting at Broad and South Streets Friday night and arrested two men and a woman.

Those arrested were Jennie Cooper, 33, of Eighth Street near Chestnut; John Mack, 45, white, of Twelfth Street near Catherine; and George Brown, 35, of Locust Street near Tenth. All were charged with disorderly conduct and failure to have a permit. They were each fined $10 and costs, or thirty days by Magistrate Henry.

The trio protested they were speaking under the auspices of the American Disarmament League but all three were known Communists, according to Captain Robert Black.

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Communists.

How the 'Daily' Does Its Work In the Terror-Ridden South

By BILL MOSELEY

A GEORGIA textile worker, a girl not yet twenty, told me the other day how a copy of the **Daily Worker**, thrown on her porch by an anonymous hand, brought her to the revolutionary movement. She had never heard of the movement, she said, and her days had been a monotonous routine of work, work, work.

"Then I realized that there were other people like me," she said, "who wanted a better life. And from the paper, I could tell they knew how to get it. It made me happy to think that some of these people were working right alongside of me in the mill, and I didn't even know who they were." This girl today is one of the leaders of the Y.C.L.

There are hundreds of stories like this. But here is one not so typical. A farmer in a southern state read in his copy of the **Memphis Commercial Appeal** the story of the arrest of Israel Amter and Bob Minor in the great relief demonstration in New York back in 1931. The item said Minor was editor of a paper called the **Daily Worker.**

"I decided that was the paper I wanted to read," he said. "If its editor went out in the street and fought for relief for starving people, it must be a good paper."

This farmer didn't know where to write, but finally he hit upon the idea of writing to the Soviet Union for the address of the "Daily." After a lapse of time, he received a copy of the "Daily" which set him off to organizing his neighbors, a task to which he has loyally devoted himself ever since.

Not a day passes, but what some comrade reports the enthusiastic response of some new Negro worker to the **Daily Worker's** clear position on the Ethiopian situation. A worker who reads the "Daily" is the target for the questions of almost all other workers in his neighborhood. From him they want to know about Italy and Ethiopia, Scottsboro, the Lewis truce with the coal operators, the Herndon case, and every other development they hear talked about.

The "Miracle Paper"

If we were accustomed to believe in miracles, we would speak of the "Daily" as the Miracle Paper, because so often we have seen it change people and conditions almost before our eyes. But perhaps a sounder analogy would be to call it a **catalyst**, that is, an element added to two other elements to speed up their interaction. For instance, we have workers and we have inhuman conditions of low wages, long hours, and the speed-up. The workers may be slowly but surely reacting to change these conditions, but just put the "Daily" in their hands, the reaction is "catalyzed," speeded-up, and the result is a new situation, on a higher level, and another advance for at least this one section of the working class.

Clearly, a paper which plays a role such as this is worth the sacrifices it takes to create it and keep it going. This is a fact which the workers, sharecroppers and poor farmers in the underground South recognize. That is why they are determined to receive the "Daily" regularly, even though it means a beating and even death to be seen taking the paper from a mail box. That is why they manage to scrape together the pennies to pay for it, although four, five or even more must combine their money in order to make up the amount of the subscription. And that is why they spare no effort to get the news of their conditions to the "Daily," to be printed there for their comrades throughout the South and throughout the North to read.

Landlords Burn the "Daily"

During the recent reign of terror in Lowndes County every bag of mail was watched by the postmasters and mail carriers, all of them tools of the local landlords. Both incoming and outgoing letters and packages were ripped open and read by the landlords. A bundle of "Dailies" was collected in a pile and a Negro boy forced to put a match to the pile while the deputies stood by with their pistols drawn, threatening his life if he should disobey their command.

But little occurred in Lowndes County which was not reported. Every beating, every attack, every murder of the heroic Negro strikers, together with the names of the lynch gang, were regularly brought to the outside world. This was managed by a series of runners who carried the message by word of mouth to local leaders who saw that it was passed to the leaders of the union in Montgomery, where it was written up and mailed into the **Daily Worker** office in New York.

In Birmingham, during the peak of the strike, I received word that a relative of Jim Press Meriwether was in the city and that he wished to see me. Just two days before the **Birmingham Post** had carried screaming headlines of the murder of Meriwether by sheriff's deputies. The facts were distorted and the union slandered. We knew that, of course, before we knew the facts; and here was our chance to get the facts.

I don't wish to describe here in detail how we move around in Birmingham. We have developed methods of work which guarantee us some degree of safety. But on this day, to get to my destination, it was necessary to walk almost a mile on a paved road over which police patrol cars frequently traveled. A comrade walked ahead of me since he, and not I, knew the house where we were bound. Sometimes you are nervous. Perhaps it is something you have eaten—I don't know. But that evening, I was sure that every car which flashed its headlights on me was either a squad car or an auto load of T.C.I. thugs looking for "Reds" to kidnap and beat. Not until we reached the little frame house, where the cropper waited for us, did I breathe freely. But I got the story and sent it to the "Daily."

Most of the stories from the South are gotten this way. By this I mean they are gotten at some risk, and that they are almost always a collective task. Our Party members know that their job is to work closely with the masses. One of them hears of some particularly dirty deal which the workers have received in a department of the T.C.I. or the Republic, or in this or that mine. They hunt up those workers who know the story. They discuss it with them, and the one who can write best puts it on paper.

A Collective Job

It is the same in rural sections. In the Black Belt for instance, a group of share croppers will be brought together by one of our comrades to discuss conditions. The stories they tell are noted by our comrade, who proposes that the whole thing be written up for the 'Daily." Together they map out a letter, and when no one can think of anything else to add, they seal it, stamp it, and mail it. But just how it is addressed, and where it is mailed is not common knowledge.

Because the ruling class has denied education to the Negro people in the South, many Negro workers (and many white workers, too) cannot write, although most of them manage to spell out words in reading. A daughter or a son who has had a little schooling is thus an asset not only to that family but to the whole community. And it is frequently these young people who do the actual writing, as the older workers dictate, of the stories and articles you see in the "Daily" from the South.

What must be borne in mind is that naturally, under conditions of illegality, it is many times more difficult to circulate a revolutionary working class paper. But it is precisely under these conditions, where mass meetings are generally impossible, where open party headquarters is out of the question, that we must rely on our Party press to carry on work among the masses which frequently cannot be carried on by other methods. Here, the circulation of the **Daily Worker** is many times more important, I believe, than in other sections where legal conditions exist. And every copy of the "Daily" does double and triple service. Each copy goes through many, many eager hands before it is finally worn into illegible shreds.

EXPRESS FAVOR FOR COMMUNISM IN D. C. SCHOOLS

WASHINGTON, Nov. 8—Majority opinion expressed at the weekly luncheon forum at the Capital Pleasure club last Saturday favored the teaching of communism in the public schools of the District of Columbia.

William H. Hastie, assistant soli- principal speaker. His subject was "Significance of the present agitation concerning the teaching of communism in the public schools."

Answering in the negative the question as to whether the agitation was due to fear that the public schools are becoming hotbeds of communism, Mr. Hastie contended "the whole thing goes much deeper than giving instruction about communism."

"All over the country,' he said, "there seems to be a very definite tendency on the part of certain forces to stifle free speech and to destroy the liberties which we have cherished in this country since its founding. This agitation and attack on the school board is one aspect of this same tendency.'

He compared "red baiting" with the cry of rape in the South when it is desired to wreak vengeance on a Race man. He said if suppression of communism is not checked, "We are going to find the same sort of thing in this country that is happening in Germany." He charted the course of nazism from its start in the schools, the burning of books, and the ban on reaching certain subjects until in time economic oppression centered on the Jew.

"The same tendency in America can rebound on the Negro," he declared. "We as a group of persons who are perhaps most apt to be victims of intolerance and bigotry should resist most strongly any such tendency."

Complete lack of sympathy with advocates of factual teaching of communism in the public schools was expressed by former Judge James A. Cobb.

Sharp issue was taken with the attitude of Judge Cobb by Henry Lincoln Johnson, young lawyer, who contended that it would be better for pupils to be acquainted with the fundamentals of communism than to be ignorant and more susceptible to its influence in later life.

Among those who attended the forum luncheon were William C. Hueston, Maurice C. Clifford, William H. Hastie, Roy A. Ellis, Dr. B. Price Hurst, I. D. Coleman, I. L. Steele, A. E. Lichtman, Rufus G. Byars, James R. Curtis, Edward M. Edwards, Chester F. H. Comer, Henry A. Brown, Charles H. Flagg, R. E. Syphax, Louis R. Lautier, Albert C. Dade, Edward H. Lawson, Henry Lincoln Johnson, Jr., Louis Mitchell, John W. Carter, Judge James A. Cobb, George E. C. Hayes, Charles Craft and R. W. Gaddis.

Labor—1935
Unions, Strikes, etc.

D.C

Taxi Men Forced to Join Whites in D. C. Rate Strike

AFRO-Baltimore
6-15-35

Fear of Violence Caused Harlem and General to Keep Cabs Off Street.

SPECIAL RATE ASKED FOR SHRINE MEETING

Baltimore Sun

Only White Firms Took Advantage of Boost.

WASHINGTON—A strike among white taxicab operators which went into effect here this week as more than 75,000 white Shriners poured into town to attend their annual conclave, forced other taximen to fall in line with them.

The difficulty began when the public utilities commission had refused the cab operators permission to hike their zone rates for the period of the confusion attendant to the conclave, and a warning was sent out over the convention loudspeaker system advising visiting Shriners not to pay more than twenty cents for a trip.

The taxicab companies immediately united for a general strike, which took more than 4,000 cabs off the streets.

Harlem and General Join

The Harlem Taxicab Company, probably the largest of our cab companies operating in the District, and the General Cab Company, took part in the strike and refused to haul any passengers, white or otherwise.

An official of the Harlem concern told the AFRO that they were not sympathizing with the white strikers, but were forced to strike with them, under fear of suffering harm to their cabs.

The General, it is understood, struck for the same reason, and did not carry any more passengers until the strike was called off by the white taximen.

Wanted Temporary Boost

The rate that has prevailed through the District, according to zones, has been 20-30-40-60 cents, which the strikers insisted was not enough to charge during the convention because of the congested streets and the length of time it would take to carry a passenger to his destination.

A rate of 20-40-60-80 cents was approved by the taxi union, white, and the public utilities commission relented, but the other cabs went back on the street at their old rate of 20-30-40-60 cents.

Florida

Labor-1935
Unions, Strikes, etc.

Florida Preachers Incite Lynch Spirit Against Militants

By a Worker Correspondent

TAMPA, Fla.—This is a report on the activities of A. Smith, and Ben Morris, preachers of the Gospel Tabernacle of this City, organizers of the Christian Alliance and K. K. K. and two of the most fanatical, rabid and hysterical Anti-Soviet propagandists, Jew baiters, and inciters to mob violence in the entire South or perhaps in the entire country, if we judge them by the vicious, venomous and slanderous nature of their ravings.

For some time now Smith has ben conducting a slanderous campaign of the most dastardly sort against the Soviet Union and the Communists at his Gospel Tabernacle. To "prove" his atrocious lies and remarks about the Communist Party and "Red Russia" he conducts a sort of film exhibit during his talks. In it are to be seen the "Reds" burning and bombing the Capitol in Washington, numerous quotations from Party statements all of which are distorted and falsified to serve his purpose. By means of the most absurd and ridiculous lies and by playing on the passion of his audience this man and his assistant are inciting the men, women and children who come to his meetings to mob violence against the militant workers and Communists, calling upon them to spy on all Communists and is thus attempting to build up some sort of support for the murderous activities of the K. K. K.

But the height of brazenness was reached when last Tuesday night his colleague, Ben Morris, conducted a "lecture" at the Public Auditorium under the auspices of the Police Department, with the Chief of Police, R. G. Tittsworth, as master of ceremonies. His talk, which was illustrated by films, was sprinkled with such statements as these: "Since recognition of Red Russia by the U. S. all we have had in this country has been riots, destruction, strikes, attempts to overthrow the American government of our forefathers." And again, "the Communist Party wants racial intermarriage between the whites and Negroes . . . all the Reds want is destruction, murder, violence . . . what are you red blooded Americans going to do about it? If you remain indifferent, then everything will be lost. You must wake up. Our lives are in danger, our government is in danger. We must do the necessary. We must wipe them out of Florida. We must do with them what they would do with us. The Communists have on their death list all who do not agree with their views. Let's get them before they get us. And all this comes from Red Russia. Over there women are slaves. The state owns everything. Their children are taken away from them and some of them never get to see them again . . . etc."

About the crisis: "The love of money is the root of all evil," said Lincoln. "All the money, all the gold is controlled by an international Jewish clique with headquarters in Red Russia." "You good Americans should join some patriotic organization." At this point, the film shows a meeting of the K. K. K. Morris bellows: "Join the K. K. K., they are doing wonderful work for the South, and for America and the Constitution."

At another point, "Tampa has a wonderful and efficient police department." "If you see any suspicious character, any of these Reds, just call up the Police Department, and you'll get action. These men are efficient and you'll get action." "Let's drive away the foreign trouble maker," he shouted, as the film exhibited a young man, foreign born, standing against a brick wall with guns pointed toward him.

I think I've told you enough about this. The low intellectual level of this man's rantings should not cause us to ignore what he is doing. The crowd estimated at about 1,100 gave him some applaus. And the Chief of Police, R. G. Tittsworth had the gall to refer to this maniac's ravings as "valuable facts." This sort of thing must be stopped and stopped quickly. We are going to prominent Jews. Socialists and all kinds of honest people here in an effort to form a committee broad enough to make effective protest.

The newspapers have not printed a word about it. Apparently it is too crude and raw for publication as yet.

Five Florida Negroes Arrested For Picketing

Montgomery Ala. Advertiser

PENSACOLA, FLA., July 19.—(AP)—Five negro members of the local union, International Longshoremen's Association, were arrested on the docks here today as they picketed a ship being worked by members of two local company unions.

7-18-35

Police Chief William O'Connell, who charged them with disorderly conduct, said they waved sticks and bricks at the workmen and he arrested them to prevent trouble. Twenty-eight other members of the picketing force were arrested and fined last week.

Stuart, Fla., News
August 1, 1935

NEGRO WORKERS ARE NO LONGER IN LABOR GROUP

Decision Reached To Drop Them From Association Ranks

At the meeting of the Labor association last night, members debated a proposed amendment of the by-laws which would exclude negroes from the organization. Speaking in favor of the amendment, R. A. Logsdon, secretary of the organization and others argued that negroes were too hot-headed and might give the body a "black eye" which would result in the association losing much of the cooperation that has been given to them by local citizens.

Finally a motion was made and carried which will limit membership in the organization to white men only and is to become effective today (Aug. 1).

Hearing rumors to the effect that the city is contemplating submitting a project to the government for a recreational hall in the park, the organization carried a motion made by Logsdon that they will give approximately 100 working days as a means of showing their appreciation of the cooperation that was shown by Stuart and Mar was shown by the people of Stuart and Martin county in the association's recent fight over Hobe Sound labor.

Labor- 1935
Unions, Strikes, etc.

General.

Negro Women Move To Fore in Struggle Against Oppression

Daily Worker
3-6-35
New York, N.Y.

Wage-Earners and Housewives Alike Meeting Menace of Redoubled Poverty and Terror by Heroic Fighting Spirit

By Williana J. Burroughs

That American fascism is growing is proved by the vicious treatment of Negro women, native and froeign-born, by local authorities.

A Negro woman was one of the fifty-seven workers murdered in strikes during the past year. Wages for colored women have been forced to as low as three dollars a week in some places, in tobacco, food and bag factories, laundries, stockyards and domestic service. Homework, piece-work, speed-up, long hours, intolerable working conditions, dangerous, dirty jobs menace lives and health of Negro women workers.

In the South the savage program carried through by the landlords has rapidly smashed the living standards. Here the acreage, and cotton reduction laws have driven tenants and croppers off the land, and reduced them to day laborers. As such their wage is the lowest paid to any group. Many families face starvation.

Negro Babies Starve

Small incomes, due to wide-spread unemployment, less than minimum wages, and totally inadequate relief, have sharply increased the death rate of Negro babies. Colored children today are growing up with health broken by such diseases of poverty as rickets, poor teeth and tonsils. Social services, always poor, have been curtailed or abolished. Schools have been closed in many parts of the South for more than two years.

In Harlem, center of New York's Negro population, with long waiting lists, the clinics refuse to care for many children. The Federal government has cunningly seized this period of wide-spread misery, to make Jim Crow schools official, by a fund from the national treasury.

Overcrowded, dark, damp basement living quarters, old unsanitary houses, filthy streets, lack of playgrounds, multiply problems for the colored mother, who in most cases is also a wage-earner. Negro pupils daily go to schools which have been officially pronounced fire-traps. Petty crime and juvenile delinquency grow. Young girls, unable to find work, are forced into the streets.

In spite of growing terror, Negro women are heroically fighting for better conditions. On the picket lines in Alabama and Ohio they fought side by side with the miners. At Seabrook farm in New Jersey, in St. Louis, at the stockyards in Chicago, they are in the fight for higher wages. In protests at relief stations, all over the country, even in the lynch-ridden South, they have braved the clubs and guns of the police.

Women Aid Sharecroppers

Many hundreds of women have helped to build up the fighting Sharecropper's Union.

Negro women today fight with the same high courage against wage slavery and growing fascism, as formerly Harriet Tubman and Sojourner Truth fought against chattel slavery. From the enemy press we get little news of struggles of the colonial workers. But from these meagre reports we learn that the women coffee pickers of Colombia won their strike for better wages, that a large strike is going on in Porto Rico, another on the sugar plantations of Martinique, that the teachers are on strike in Cuba.

Negro women did important work behind the lines, in the factories in the last war. They will be used again if war comes. The chief executives of the American Federation of Labor have left this vast body of women workers without the protection of organization. It is imperative if the working class is to win its fight against fascism and war, that we forge the solidarity of all women, black and white.

Women Must Organize

This International Women's Day should be the start of an energetic campaign to draw this key section of the working class into labor unions, and into the auxiliaries of coal, steel, railroad, marine and veterans bodies, into relief, foreign-born and defense groups. Our message of solidarity must be carried to the Negro people, into their lodges, churches, clubs.

Today the main struggle for unity of black and white peoples is Scottsboro, the symbol of all Negro exploitation. Along with its every day work, each organization must have its active Scottsboro committee to carry on a mighty fight to give back their children, to these brave mothers of the working class. This is practical work for Negro rights.

THE anti-Red hysteria is now in full swing in this country. In state after state, laws are being passed or old ones are being revived, making it a penitentiary offense to belong to any political organization that advocates violent revolution; some of these laws are so loosely framed that they could be used against almost any party. In state after state, bills are being introduced that, in effect, would make all political parties illegal except the Republicans and the Democrats. Children in the public schools are being obliged to take an oath of allegiance to the American form of government (which means in practice; the system of private capitalism) and teachers in the same schools are being put under similar restrictions. We have recently described in our pages the pending federal legislation to the same general effect, including bills that would deport alien radicals. The Strachey case has served to reveal that this is already being done in a good many cases, under rulings of the lower federal courts. Incidentally, one of the worst of the state anti-sedition bills is the one that recently passed the lower house in Georgia. This bill, according to Associated Press reports, would make it a crime to "speak, write or otherwise encourage sentiment intended to undermine democratic governments." The penalty is one to ten years in prison, and possessing five copies of any seditious literature is accepted as evidence that the possessor is circulating it. Georgia, where strikes are broken by the simple expedient of locking up the strike leaders in concentration camps, seems to be making a bid for the place of First American Fascist State.

Boston Republican
3-27-35
New York Times

OUTSIDE TROUBLE-MAKERS

Last Sunday The Constitution called editorial attention to a vicious pamphlet, entitled "Can Guns Settle Strikes?" being distributed in the south by a New York organization called "The Fellowship of Reconciliation."

It is not difficult to realize the particular brand of "reconciliation" favored by this organization since the pamphlet is an unwarranted attack on Governor Talmadge and other southern governors for having called out the national guard to quell violence during the textile strike, but which at the same time inferentially justifies the activities of the "flying squadrons" that spread terror, by violence and intimidation, through numerous peaceful communities.

The foreword to the pamphlet, which is published in New York, is signed by Will W. Alexander, executive director of the commission on interracial co-operation; George L. Googe, southern representative of the American Federation of Labor; W. Aiken Smart, Emory University, all of Atlanta, and Frank P. Graham, president of the University of North Carolina, and E. McNeal Poteat Jr., pastor of the Pullen Memorial Baptist church of Raleigh, N. C.

In all probability this group was misled into permitting their names to be used in the inferential indorsement of so vicious a document, obviously issued for the purpose of deception, and as an appeal to prejudice and passion.

In a communication appearing on the opposite page, Claud Nelson, of Decatur, southern secretary for the Fellowship of Reconciliation, defends the pamphlet on the ground that its purpose is "not an attack on a person, but the criticism of a policy."

The statement is also made that "we agree that both the right to work and the right to strike must be protected." It was because the right to work was being denied, through violence, to thousands of southern textile workers that the governors of three states called out the national guard at the urgency of local peace officers.

The "flying squadrons" were deliberately organized for the purpose of preventing, either by violence or intimidation, those who wanted to work from doing so. At least some of the members of these "flying squadrons" carried pistols and guns and all possessed clubs or other weapons of assault.

Since one side of the controversy resorted to guns, it was necessary that the constituted authorities send armed troops to put a stop to the disorders being created. Since this was the case, the question of a deliberate resort to arms to end strike troubles was not involved, despite the effort of the "Fellowship of Reconciliation" to make it so appear in the pamphlet, "Can Guns End Strikes?"

"The Fellowship of Reconciliation" is a New York organization, allegedly devoted to the promotion of "pacifism," but which refuses to reveal its sources of revenue.

It has conducted crusades against war and assails the "exploitation of workers," which it terms as "the root of war"—expressions strongly reminiscent of utterances emanating from bolshevik Russia during the past decade and a half.

It is evidently one of the excrescences of extreme pacifist organizations, some of which, it is openly charged, are supported either directly or indirectly from Moscow. Whether or not the "Fellowship of Reconciliation" is of this type, the refusal of its officers to reveal the source of its income at least places its motives under suspicion.

The organization has participated in several disturbances, notably the disputes in Arkansas between sharecroppers and planters.

The circulation by such an organization of its vicious propaganda throughout the south is another in-

stance of meddling outsiders seeking to stir up trouble.

Agitators of this type have done widespread harm in the thickly populated centers of the north and east, where they have organized radical groups that have been the leaders in numerous disturbances.

The organization is now concentrating its efforts at demoralizing conditions in the cotton textile industry in the south.

There should be no tolerance with dangerous and misguided efforts to stir up violence, under the guise of pacifism, in this section.

THE FASCIST PLOT revealed by General Smedley Butler to the so-called Dickstein committee, and received with derision by most of the leading newspapers of this democracy, was given official authentication in the committee's report to Congress. "There is no question," it says, "that these [fascist] attempts were discussed, were planned, and might have been placed in execution when and if the financial backers deemed it expedient." Suppressed portions of the Butler testimony should now be published. The *New Masses* supplies its version of the suppressions and includes many important names—the du Ponts, Al Smith, Hugh Johnson, Douglas MacArthur, Hanford MacNider, and in particular the American Liberty League. It is plain that the committee bungled into the inner privacy of some of our most respectable financial and political gentlemen and was at pains not to pursue its investigation to a logical conclusion. Instead, its recommendations deal with the need for registering foreign propagandists, deporting them if need be, and outlawing disobedience by members of our armed forces. It ends with a demand for legislation making it unlawful to advocate overthrow of government by force. Advocacy of violence thus would become criminal, but high financial strategists could plot it with impunity. For our part we believed the Butler story at the time chiefly because it bore out our conception of the inanity of the financial mind in the realms of revolutionary conspiracy. Fascism, if it comes, will not be cooked up in Wall Street. It will be a pseudo-radical movement with a popular following, which Wall Street will eventually see the wisdom of supporting. We are much more frightened by Father Coughlin and Huey Long than by the brokers who were set to bait the trap for General Butler.

Bronx, N.Y. Home News

JUL 21 1935

Delegates from 110 Labor Unions Organize to Eliminate Race Prejudice From Industr

A drive to eradicate race prejudice and discrimination from the ranks of organized labor was inaugurated yesterday at a meeting of representatives of 110 labor unions in the Renaissance Casino, 138th St. and Seventh Ave.

With the movement approved by William Green, president of the American Federation of Labor, the delegates set up a permanent organization to work for race unity within the framework of the A. F. of L.

Green sent a letter to the conference leaders in which he reaffirmed the federation's determination to guard "the economic rights of all classes of people regardless of creed, color or nationality."

A. F. of L. Backs Move

William Mahoney, State organizer for the A. F. of L., also promised his co-operation and declared the movement a "long-needed step in the right direction."

The keynote address was made by Frank R. Crosswaith, organizer for the International Ladies' Garment Workers' Union, who said:

"We know that race prejudice is just as much a part of America as the Constitution, but we are resolved to fight to abolish it from the labor movement.

"Ever since emancipation, we Negroes have spent most of our time on our knees begging for mercy or justice, but despite our pleas we are still being lynched, still being brutalized, still being segregated in some sections of American labor.

"But now we are shedding our swaddling clothes and there is about to step out a new type of Negro in whose make-up there are no pleas and no prayers and who realizes that in a world of wolves the Negro must develop claws of his own."

Other speakers were Morris Feinstone, executive secretary of the United Hebrew Trades; A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters, and Mrs. Gertrude A. Ayer, assistant principal in charge of P. S. 24.

NEW YORK TIMES

JUL 21 1935

110 UNIONS PLEDGE FIGHT FOR NEGROES

Organize Here to Oppose All Race Discrimination in Ranks of Labor.

GREEN GIVES APPROVAL

Chairman of A. F. of L. Meeting Says 'New Type of Negro' Will Demand Full Rights.

With the blessing of William Green, president of the American Federation of Labor, representatives of 110 trade unions, Negro and white, moved yesterday to eradicate race prejudice and discrimination from the ranks of organized labor.

Meeting at Renaissance Casino, 138th Street and Seventh Avenue, under the red and gold banner of the Harlem Labor Committee, the delegates set up a permanent organization to work for race unity within the framework of the A. F. of L.

Mr. Green conveyed his approval in a letter to the conference. In it he reaffirmed the federation's determination to guard "the economic rights of all classes of people regardless of creed, color or nationality."

Is Sure of Solution.

"We are constantly endeavoring," Mr. Green wrote, "to promote a condition where all international unions affiliated with the American Federation of Labor, clothed with autonomous authority, will conform to the declarations, procedure and principles of the American Federation of Labor itself regarding the admission of members without regard to race, creed, color or nationality. We are certain that time, patience and good judgment will bring about a solution of our vexed problem."

A similar pledge of cooperation was brought to the meeting by William Mahoney, State organizer for the federation, who described the movement as a "long-needed step in the right direction."

"Only too often," he declared, "have rapacious and greedy members of the employer class set black against white and white against black in an effort to defeat labor organization."

Negro Must Develop Claws.

In the keynote address Frank R. Crosswaith, organizer for the International Ladies Garment Workers Union and chairman of the meeting, said:

"We know that race prejudice is just as much a part of America as is the Constitution, bue we are resolved to fight to abolish it from the labor movement.

"Ever since emancipation we Negroes have spent most of the time on our knees begging for mercy or for justice, but despite our pleas we are still being lynched, still being brutalized, still being segregated in some sections of American labor. But now we are shedding our swaddling clothes and there is about to step out a new type of Negro in whose makeup there are no pleas and no prayers, who realizes that in a world of wolves the Negro must develop claws of his own."

The convention adopted resolutions demanding removal of color bars in labor groups, urging Federal anti-lynching legislation, favoring the thirty-hour work week and a constitutional amendment to give Congress powers to regulate labor and industry and asking Negro clergymen to devote at least one Sunday each month to consideration of the economic plight of their worker-parishioners.

Speakers included Morris Feinstone, executive secretary of the United Hebrew Trades; A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters Union, and Mrs. Gertrude E. Ayer assistant principal in charge of Public School 24.

LABOR MOVING TOWARD WIPING OUT JIM CROW

ATLANTIC CITY, N. J., Nov. 1—A strong sentiment is rapidly growing among American Federation of Labor unions to abolish existing discrimination against Race workers in the organized labor movement. This sentiment has been blocked from effective expression, however, by the set-up of America's leading labor organization, and further progress must be achieved thru united action of white and Race workers within labor unions and through organized pressure of Race members who are on the outside of union membership.

This is the conclusion reached by a strong lobbying group, representing the National Urban League and the Negro Workers' Councils at the A. F. of L. convention which closed here last week.

The group was present to support the drive headed by A. Phillip Randolph, national president of the Brotherhood of Sleeping Car Porters, to obtain action at the Convention which would force international unions to remove the color bar from their constitutions and to abolish other discriminatory practices against Race workers. Nearly fifty labor leaders were interviewed during the week to sound out their attitudes towards Mr. Randolph's efforts.

A surprisingly large number of these was in complete sympathy with the movement, although many of them doubted the possibility of securing favorable action at a national convention.

Jealousy among the great international unions and their fear of any attempt by the executive council of the federation to infringe upon union autonomy was given by Sidney Hillman, president of the Amalgamated Clothing Workers' Union, as the chief obstacle.

The Urban League lobbying group consisted of James H. Hubert, executive secretary of the New York Urban League; Edward S. Lewis, executive secretary of the Baltimore Urban League; Donald W. Wyatt, industrial secretary of the Armstrong Association of Philadelphia; and L. B. Granger, secretary of the Workers' Bureau of the National Urban League.

labor- 1935

Unions, Strikes

General

New York Evening Post

Labor

Union's Strikes

JUL 13 1935

A Barbaric Criminal Code

To the Editor of New York Post:

Sir—As one of the white women indicted under the "slave insurrection" law which was invoked to sentence Angelo Herndon, organizer of the unemployed, to eighteen to twenty years on the chain gang, I want to express my indignation at the fact that this antiquated law still stands on the Georgia statute books.

I was arrested, along with another white girl, two Negro men and two white men, in Atlanta in 1930. Our "crime" was that we had passed out leaflets on which there was a picture of a Negro and white boy clasping hands.

We have never been tried, but Assistant Solicitor Hudson announced immediately upon hearing of the decision of the United States Supreme Court in the Herndon case that he would push our trials and do his utmost to have us sent to the electric chair—the "insurrection" law permits the death penalty—or to long terms in jail.

Two white girls, textile workers, are also under indictment under this law. They are Anna Mae Leathers and Leah Young. They were arrested in Atlanta in 1933 on the picket line during a mill strike.

So a law that has come down to us from slave days, that was designed by the slave-holders to put to death slaves who rose in rebellion, is today benig used against Negroes who are men enough to demand their rights, and against the whites who side with these Negroes or who struggle against the new forms of exploitation and slavery.

ANN BURLAK.

More Otherwise Than Wise

Macon Telegraph

Macon, Ga. 9-26-35

BUS BODIES.

It is announced that a survey of the anti-insurrection law of Georgia and of the Downs law of Alabama will be undertaken next week by a "committee of novelists, editors and lawyers from the East," and probably the next news you hear will be that the surveyors are yelping for the police to help find the pants and panties that have been kicked off them by the yahoos this side the Mason & Dixon line. That is, if they conduct themselves as objectionably as committees of that sort usually do.

The main idea, it appears is to effect the release from jail of a young Negro bolshevik named Herndon who picked Atlanta, of all places on the globe! to preach communism, or the overthrow of the Government of the United States Government by violence. You may learn about bolsheviks from that. It was just about as sensible as it would be for you to go to Berlin and salute Hitler with "Hi, there, Goldberg! How's the boy!"

The fact that Herndon is a bolshevik doesn't interest us? What if he is? We could take a dime gimlet and bore more holes in the United States Government in one afternoon than Herndon could in a year propagandizing among the Georgia Negroes. The fact that he is a Negro doesn't prejudice us against him either. We were brought up in a home which was as much the home of several ex-slaves and their children and grandchildren as it was of anyone else in the family. It never occurred to any of us to think about it one way or another. The Negroes had their places and we had ours, but it was Home to all of us, and that was all there was to it. As a child we played with Negro children and still remember affectionately an old Black Mammy who could make us do anything short of a miracle by threatening to tell everybody that she chewed our first food for us if we didn't. Today we have more respect and regard for a lot of Negroes than we have for a lot of sadistic white folks who find pleasure in adding to the troubles and tribulations so many of them are born to.

But a smart alec Negro who goes into what he knows is hostile territory, where the cards are stacked against him to begin with, with the purpose of starting trouble is pretty sure to start some and surer than that to regret it before it's over. Herndon may be book smart; we've heard say he is, but evidently he hasn't much common sense. Going into Atlanta to do bolshevik-ing among the Negroes is a bigger mistake than going into Moscow to call the Soviet names. Over there they back a traitor up against a wall and shoot him. In Georgia, in the Herndon case, anyway, the traitor is sentenced to 19 years in a chain gang, and we'd 5 to 3 rather be shot than spend 19 years in a Georgia chain gang.

And if the members of the committee coming from the unblemished East to show the Southern courts how to conduct their affairs are as chuckleheaded as Herndon is, they probably will harm him more than they will help him. If they try to martyrize him as the slickers and hired trouble makers who went into Alabama to martyrize the Scottsboro Negroes and at the same time furnish their fellow trouble makers in this and foreign lands opportunities to take up collections that ran into money, they might as well kiss him good bye, for he will be in that chain gang a long, long time, unless he breaks out himself.

If Solomon had been sitting in the Scottsboro case, with power to act, our notion is he would never had the Negroes and the 2 white girls, all of a whatness, it appears, kicked up to the New York headquarters of the I. L. D.-ers, who loved them so, as long as the panhandling was pretty good. No doubt the Alabama judge would have done the same thing if it hadn't been that it was against the law. Alabama didn't want that case any more than you would want a buzzard's nest in your living room. It was thrust upon her.

Changing the subject a bit, did you see the newspaper group picture of the "prominent American authors," including 2 husky Negroes, who went to Cuba to show that Government how to run its business and were shipped back home the next day, after spending a night in jail? We don't know whether they have a hill to their names, but it looked like a hill billies' convention. The gals, who were on the lean order, looked like Mr. Eon in the Little Orphan Annie whatever it is. Their hair stuck up like his and they had the same dunce look on their faces.

We may be out of order talking about the looks of other people when it has been years since we won a beauty contest and only won that one because the judges had eaten so much ice cream they couldn't see we weren't there, but at the same time we don't go around attending to the business of other people. If you say we are advising the committee of novelists, editors and lawyers coming to Georgia our reply will be that we are doing it in the same kindly spirit a humane man would advise a giddy brother not to monkey with a buzz saw or not to ask Mr. Roosevelt what he thinks of the Blue Eagle as far as it went.

No one of course questions that there are injustices and iniquities in Cuba that need attention, but what could the bunch of blockheads that went there to attend to them do about it? Nothing but turn right around and come back home again.

There are injustices and iniquities in Georgia, too—and in our opinion the treatment of the Herndon Negro is one of them—but what can this committee of Eastern novelists, editors and lawyers (they may be the same outfit that went to Cuba for all we know) hope to do about it, except make it harder for the Negro?

And now and then, if you will believe it, one hears of an injustice or an iniquity bobbing up in the East. Why can't this committee stay home and reform their own sinful ones? There are so many of that kind in Georgia that even if the members of the committee reformed one apiece even a close observer wouldn't know the difference.

And they'll be disappointed with their visit here, too. The goof they kodak as a troglodyte to take back to show the neighbors and the children won't be a trogdolyte. Chances are his still is in a cave all right, but he sleeps at home.

J. D. S.

Soft Coal Strike To End Oct. 1; Miners Jubilant

Advertiser 9-27-35

'Various Wage Increases' Provided In Agreement By Owners And Union

Montgomery Ala.

Till April 1, 1937

9-Cent Tonnage Hike Is Granted But Differentia Scale Is Still Unsolvec

WASHINGTON, Sept. 26. — (AP) — An agreement to end the nation-wide soft coal strike next Tuesday, Oct. 1, was reached tonight between producers and miners, and union spokesmen announced their men would march back to work on that date.

The agreement, providing for various wage increases, was reached by the Appalachian wage committee after four days of almost constant negotiation.

The new contract is to extend 18 months, until April 1, 1937.

It still had to be approved by the full joint wage conference and a controversy between operators over wage differentials was one bar to the writing of the new contract. Some spokesmen asserted, however, that this would not block the ending of the strike.

Union Head Claims Victory.

John L. Lewis, president of the United Mine Workers, was jubilant over the agreement, announcing to the press the men would go back Tuesday and adding:

"We got everything we asked for."

Edward F. McGrady, assistant secretary of labor, and President Roosevelt's emissary in the wage negotiations, hurried to the White House at dinner hour tonight to report that the Appalachian producers had agreed to the United Mine Workers' demands for a 9-cent a ton increase in the pay for miners who dig and load coal;

a 50-cent increase in the pay of day men, and a 10 per cent increase for yardage and deadwork.

When the strike was called Sunday midnight, the operators had offered to increase the tonnage rate 7½ cents and to meet the miners' other wage demands.

The agreement was subject to ratification by a committee of 56, and by the full joint wage conference before becoming effective.

Efforts on the part of the union early tonight had failed to remove a differential dispute between Tennessee and other southern producers.

The Tennessee operators demanded a 40-cent differential for day men under the base scale for the rest of the southern Appalachian region. Lee Gunther, their representative, said he would not sign a new wage and hour contract without that differential.

Virginia producers, competitors of the Tennessee operators, said they would not sign if the differential was granted. In turn, operators from a number of other southern production districts let it be known they would not sign unless they got the same scale that Virginia received.

400,000 Miners Affected.

Union officials estimated that about 400,000 miners stayed away from work Monday morning after their old wage and hour contracts had expired without agreement on a new one.

The old contract had been extended five times at President Roosevelt's request. The first four extensions were arranged to give Congress time to act on the Guffey bill to set up a "little NRA" for the bituminous industry. Administration supporters of the bill argued such a law would minimize strikes by stabilizing coal prices and wages.

The new soft coal commission set up under the Guffey act got together for the first time today when four of the members were sworn in. Mr. Roosevelt, meeting with them, assured the commissioners that Federal regulation of the industry was here to stay.

The four took their oath of office this morning. The fifth, Walter Maloney, of Kansas City, is to arrive Saturday. This commission, set up by the Guffey coal stabilization act, will administer the marketing provisions of the measure creating a "little NRA" for the bituminous industry.

A difference of one and one-half cents in the amount of the pay raise for tonnage men remained to be settled. The union maintained that to give way in this scrap would cost Appalachian producers only $16,000 a day. The operators, on the other hand, contended that the increase would cost more than $5,000,000 a year, and that they already had made concessions that would cost them $169,000 a day in the Appalachian fields.

GREENVILLE, TEX.
HERALD

OCT 25 1935

ACTION SHOULD BE TAKEN

From the very day that business conditions in the nation began to improve, there have been labor disturbances at the nation's ports. The calibre of workers who load and unload the ships that handle the nation's commerce, thousands upon thousands of them Negroes, makes such workers easy prey to labor agitators—many of whom have been found to be in the employ of Communist leaders, whose primary purpose is to overthrow what they term "capitalistic government" in this country.

The first strike of any consequence that occurred in the United States after the institution of the Recovery Program was at San Francisco. It was finally settled, but not until it had gone far enough to paralyze the business of San Francisco and a large part of the Pacific Coast.

At the present time the ports of the Gulf coast, including Louisiana and Texas, are practically tied up by a strike of dockworkers. The strike began at New Orleans because of feeling between two rival labor organizations. It has spread to Texas ports, where the "sympathetic" strike has been invoked.

The strike, if long carried on, will be disastrous to the cotton farmers of Texas, since it was carefully staged in the heart of the cotton exporting season. Mills of Europe, when they place orders for cotton, want to know that it will be delivered promptly. They have contracted for orders they must fill.

Every day the ports of Galveston, Houston, Port Arthur and other cotton exporting cities are tied up constitutes a threat to the Texas cotton farmer.

RACE GETS 3 CCC ADVISORS IN EDUCATION

WASHINGTON, D. C., Nov. 8—John W. Studebaker, U. S. commissioner of education, has appointed three additional Race educational advisers for CCC camps in New York and Pennsylvania, it was announced last week at the office of Robert Fechner, director of Emergency Conservation work.

The new appointees are William E. Griffith, who received his degrees from Temple university and has done considerable work on a Ph.D. in physical education. Adviser Griffin had been head of the activities program of the Christian Street Y. M.C.A. in Philadelphia for 13 years.

Percival McGuire, another appointee, received his B.S. from New York university and his M.A. from Columbia university. Adviser Punter has had two years experience with Columbus Hill Center of the N. Y. Children's Aid Society.

Alexander F. Williams, the third appointee, is a graduate of Fisk university, and for a number of years had been secretary of the Y.M.C.A. in Newport News, Va.

Name 5 Race Medicos To CCC Service

WASHINGTON, Nov. 8—Director Robert Fechner this week announced the appointment of five Race medical officers of the U.S. Reserve Corps to serve CCC camps located in New York, Illinois and Michigan. This is in keeping with the policy of calling Race reserve medical officers and chaplains to active duty for service in Race CCC camps.

First Lieutenant W. B. Perry, First Lieutenant Philip A. Beach and First Lieutenant Albert V. Anderson have been appointed by the War Department and assigned to the seven CCC camps, composed of 1,400 enrollees, now at work on the Wallkill flood control project at Middletown, N. Y.

First Lieut. Leonidas H. Berry and First Lieut. Lorenzo R. Nelson have been called to active duty by the War Department and assigned to CCC camps at Palatine and Bitely, Mich., respectively.

Labor – 1935

Unions, Strikes, etc.

General

'I Have No Illusions' Mooney Tells Herndon

"Working Class Protest Will Force Them To Free Me"

By ANGELO HERNDON

"WHAT do you think the United States Supreme Court will do about your case, Tom? Do you think they will let you go?"

As one political prisoner whose case is coming up before the court of last illusions to another, I asked that question of Tom Mooney. It was one of a whole series I asked in the hour I had with him, visiting him in San Quentin prison. His answer—much the same answer, allowing for different circumstances, that I would have given had anyone asked me, "What do you think the United States Supreme Court will do about your case, Angelo?"—was:

"I have no illusions about what they will do. For eighteen years they have refused to have anything to do with my case. In fact they have kicked and tossed me around so much, I can't expect anything from them unless the protests of the working class will force them to free me."

I asked another question along the same line:

"I suppose you know that Professor Moley has asked Governor Merriam to pardon you so the workers will stop making such a noise about your frame-up?"

"Yes, I know about that," Tom said. "But you see there is Scottsboro, your case, and mine, all coming up before the Supreme Court. Moley thinks that if Merriam pardons me, the case will not go up there, and so they will be saved further exposure."

Prisoner 31921

When I asked to see Mooney—made the trip to San Quentin from San Francisco, where I had been speaking on the Scottsboro case—one of the guards disappeared behind trick steel walls and we could hear him yelling:

"Mooney! Three-one-nine-two-one! Mooney! Three-one-nine-two-one!"

Within a few minutes, Mooney came out, dressed in his white prison garb. He was smiling. He leaned over the wooden partition between us to shake hands. One of the comrades from the San Francisco International Labor Defense introduced us.

"I have heard all about the frame-up of the Scottsboro boys, and yourself," Tom said. "I am glad to see you out, and for you to pay me a visit is indeed a treat.

Negroes in Georgia

"I know Georgia," he went on. "I remember away back before the ruling class of California framed me, how they used to treat Negroes. There was the 'Williams Farm' down there, where they used to work the Negroes until they were almost dead. Then Williams, the plantation owner, would make them dig their own graves, and kill them with an axe. I think he was put in prison, later.

"Tell me how they handle the prisoners here," I said. "What privileges do you have, as one who has spent 18 years here?"

"I have been here a long time now," Tom said, "and they are forced to treat me with some respect. But when my dear old mother died, and her dead body was brought to the gates of the prison so that I might see the last remains of a dear old soul who had fought and suffered for her son and her class, they would not even let me go as far as the first door leading to the outside."

There were tears in Tom's eyes.

A Real Fighter

"She was a real fighter," he said, "who spent her last days on the battle field, always agitating and organizing her class brothers and sisters for the final upheaval that will not only set her innocent son free, but break the chains that are bound around the necks of all workers."

I told Tom about what I had seen and read of the workers fighting for his freedom all over the world, about the meetings of the I.L.D. where I spoke on the Scottsboro case, and how there was never a meeting where the question of his freedom was not raised, and how warmly the workers received it.

"I am grateful to all those who have been fighting for me all these long 18 years," he said. "I only want to say that if the fight is intensified the capitalists will be forced to accede to the demands of the workers."

It was at this point that the two questions I spoke of at the beginning of this account of my interview with Tom Mooney were asked and answered. We talked about the life of workers in the Soviet Union.

"I don't think the time is very long now," Tom said, "before the workers of this country will do away with their exploiters and set up their own workers' and farmers' government, as the workers have done in the Soviet Union."

The guard jerked his thumb at Tom and said: "All right, Tom, your time is up."

We continued to talk for another minute or two.

"What would you do if they let you go, Tom?" I asked. "Take some rest, or maybe pay the workers of the Soviet Union a visit?"

"I would like to go to the Soviet Union to thank the workers there for saving my life," he said. "But we have a big job on our hands in this country. If they do let me go, I will plunge right into work."

As I was leaving, he said:

"Goodbye. I am glad you stopped by to see me. Give the workers of America my best revolutionary greetings and tell them that I have all confidence they will set me free in the near future."

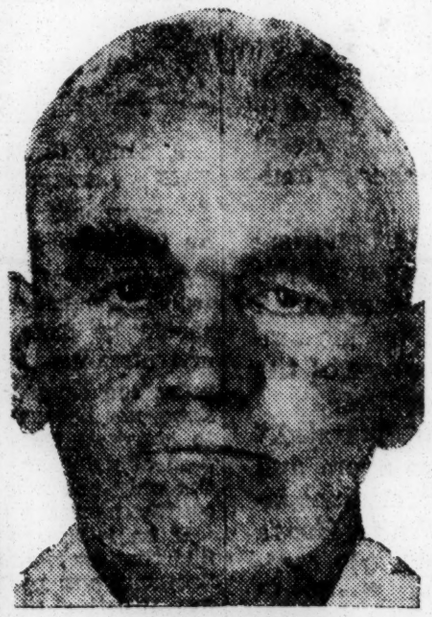
The big steel gate swung behind us, and Tom was busy again at his usual routine of work.

I was outside, on $15.000 bail that the workers and sympathizers raised through the I.L.D. to get me out of Fulton Tower, and with another rich experience behind me to help me continue the fight for the freedom of Mooney, the Scottsboro boys, McNamara and all the other class-war prisoners.

Tom made a deep impression on me. It was especially inspiring to know from his own lips that in spite of the 18 years he has been forced to spend behind the walls of San Quentin, he is still determined to help carry on the struggle for the emancipation of the working class.

TWO FAMOUS CLASS WAR VICTIMS

ANGELO HERNDON



TOM MOONEY

Ramspeck's Red Bill Indorsed by Women

WASHINGTON, Feb. 16.—The women's conference on national defense today notified Representative Robert Ramspeck, of Atlanta, that it had indorsed passage of his bill making communism and the dissemination of communist literature a crime punishable by imprisonment or fine or both.

Next Wednesday night Mr. Ramspeck will broadcast an address on national defense over station WJSV, Washington. He will go on the air at 10:15 Atlanta time. The address is being sponsored by the Reserve Officers' Association of America.

CARPETBAGGER TERM GIVEN TO AGITATORS

Colonel Edgerton Attacks Invasion of South

WASHINGTON, Feb. 1.—Colonel John E. Edgerton, president of the Southern States Industrial Council, of Nashville, today attacked labor agitators, he claimed, were invading the south, in a speech at the public hearing on employment provisions in codes of the National Industrial Recovery Board.

He dubbed the labor agitators as "the 1935 carpet bagger scourge, who, with their flying squadrons and similar tactics, have been torch bearers of hatred and the poisoned sword of distrust and disloyalty disturbing the tranquility of southern industry."

Mr. Edgerton pleaded the rights of the south against the productional dislocation and industrial disharmony that have come to that region as a result of application of codes to its industries.

"We have enjoyed in the homogenous south an industrial peace, which we want to maintain, and will maintain if our government will protect us against the machinations of those whose busienss it is to make war," Mr. Edgerton said.

"Take the profit out of industrial war, and it will be as effectually stopped in this country as taking the profits out of wars between nations will stop those unnecessary conflicts."

Colonel Edgerton lent emphasis to his charges of discrimination against southern industries under the codes through inadequate and impossible labor differentials by citing data, which portrayed the shift of production from south to north, as a result in the past 18 months of an effective cost handicap upon

southern industries.

"This program of standardizing wage rates in industry without reference to the prevailing general wages in a locality, has been largely at the expense of thesouth," he said.

A WARNING FOR AMERICA

To the unwise in America who, usually under the mistaken belief that they are defending the right of free speech, condemn the efforts to curb the activities of acknowledged communists in this country—and, in some instances, even deny their existence—the attempted red riots in Paris this week should bring a realization of the danger of their attitude.

Faced with a renewal of the bloody fighting of February, 1934, the French government called large numbers of police reserves to duty in the capital. Despite the presence of these numerous guardians of the peace and of the lives and property of the city's people, numerous efforts were made by avowed communists to stage again the disgraceful scenes of a year ago.

Thousands of the would-be rioters were arrested by the police and placed in jail. All of them were armed with weapons of some sort—pistols, daggers and blackjacks predominating. The French law forbids the carrying of such arms, but it is not surprising that they were found to be generally possessed by those pledged to efforts to violently overthrow organized government.

Such scenes are certain to come in time in the United States if rigid control of the foreign element of our population, and the misguided Americans who have listened to their poisonous doctrines, is not effected. Already the communist party is firmly established in the United States. From headquarters in the larger centers of population in the north, directions and money are sent to the sectional headquarters throughout the country. Even in the south, where the reds have so far made comparatively little progress, headquarters are maintained in Birmingham from which emissaries are sent to points where labor or other kinds of troubles arise.

These sectional headquarters are supported by money received from national headquarters which, it has been conclusively proven, receive huge contributions from the agencies controlling communism in Europe.

There are in America communist organizations for men, women and youths, each with many thousands of members. Regular publications preaching the doctrines of communism, including the forceful overthrow of the American government, are regularly issued in a half dozen cities.

The greater part of the violence incident to the various strikes throughout the country last year are attributable to the work of communist influences. Violence might have broken out in Atlanta at the time of the textile strike but for the prompt action of Chief Sturdivant in arresting the agitators sent here from the Birmingham headquarters.

The appeal of these agitators is to passion, prejudice and ignorance. It is entirely destructive in nature and seeks to tear down a government structure of co-operation and substitute one of force and oppression.

No good can come from such agitation and those who seek to protect it through appeal to the right of free speech are reading into the phrase something not intended by the framers of the constitution. Certainly the safety of the government and the lives and property of the people must not be permitted to be endangered by too literal an interpretation of the right of free speech.

To do so will be to bring to America the same threat of violence faced by the people of France this week.

ANTI-COMMUNISTIC LAWS ADVOCATED

Tennessee Adopts Measure and Arkansas, Alabama Legislatures Consider Bills

ATLANTA, Feb. 22. (AP)—The drive to outlaw communism from public life has gained momentum in the South.

Two states—Arkansas and Tennessee—have laws, passed in the present legislative sessions, barring from the ballot any party advocating overthrow of government by force or violence.

The Arkanas staute was passed early in the session and signed by Governor J. Marion Futrell. Last night Governor Hill McAlister of Tennessee placed his signature on the communist bill.

Arkansas, where there has been continuous strife over outside interference with the lives of the people, has a bill pending in the senate, already passed by the house, to make possession of seditious literature a felony.

College Investigated

A legislative committee in Arkansas has been investigating and will continue to investigate activities of Commonwealth college, a labor school at Mena, where legislators have charged communism on the Soviet plan is not only evident but is being taught.

A measure, similar to those passed in Arkansas and Tennessee is pending in the Georgia legislature.

Solicitor General John A. Boykin of Atlanta, months ago started a southwide movement against communism. He drew up a bill to outlaw members of the party from politics and from spreading literature and sent it broadcast.

His office prosecuted and obtained a long sentence for Angelo Herndon, Cincinnati Negro communist, for having in his possession and spreading communistic literature. The Negro was prosecuted.

Under Georgia's ancient statute making such activity a capital offense, but he didn't get the limit of the law. He has appealed his case and now is out on bond.

Cases are Made

Numerous other cases against alleged communists have been made in Atlanta following arrests. Several such cases are pending in the courts.

Alabama, often strife-torn by activities of outsiders, has before its senate, which reconvenes shortly after a recess, a bill to prevent actions aimed at the "overthrow of government by force."

Organized labor in Alabama opposed passage of the measure by the house and other leaders fought it on the grounds that it endangered freedom of the press.

Labor troubles throughout the cotton mills of the South frequently have been attributed to the work of communists.

During last year's nation-wide strike of textile workers, Adjutant General Lindley Camp of Georgia, who headed troops to prevent serious disorders, charged a number of those he arrested with being affiliated with communism.

THE COURTS AND THE NRA

There is much in the federal court decision in the Weirton and the coal cases to cause the country to pause and reflect before it proceeds too far in the matter of legislative experimentation with business.

The NRA has served a good purpose and there are features which should be preserved. On the other hand, there are some features of the law as it has been administered which should be eliminated. These objectionable features have retarded the return of prosperity and blocked business in its efforts to return to normal conditions.

The country is awakening to the fact that the federal government cannot assume the task of regulating all business through such code operation as discourages private initiative and places business at the mercy of petty tyros who are not familiar with its elementary details and who live in a Utopian dream land.

Perhaps these recent federal court decisions may have the effect of causing such a revision of the NRA as will make it more effective than it has been in the past.

If these decisions have the effect of untying the hands of business, the country will soon be on the way to prosperity.

GREENSBORO, N. C. NEWS

FEB 26 1935

COMMUNISM IN SOUTH.

Whether the south takes its established order more seriously than the rest of the country or by reason of having lost an argument some 75 years ago is more closely knit in its more sentient circles we do not know. It is possible because its middle class has since the surrender more nearly approached the upper crust than anywhere else in these United States that it is easier to raise the hue and cry against the obstreperous lower orders below the Mason-Dixon line than above it.

Or is it? We don't know; but there is evident at this time in Georgia, Alabama and Arkansas at least—and we do not put North Carolina past the same sort of folly—a desire to prescribe by statute the mental content of those engaged in public discussion.

Georgia, which has an ancient prohibition against sedition which would take the life of one who proposed a forcible change in the governmental set-up, has convicted a defendant of what may be referred to as militant communism. It did not call for the death penalty and the case is pending on appeal, but it is patent that the temper of the Crackers suggests no temporizing with these nettlesome recalcitrants.

Arkansas' legislature has appointed a committee to investigate Commonwealth college, a collection of higher educational holy rollers whose presence in the Ozarks is little more significant than the faith-healing movement headed by Rev. Albert Teester and his rattlesnake. H. L. Mencken, it is true, invites Commonwealth college to move to the Maryland Free state; but then Mr. Mencken and all his liberal Free Staters have not as yet been able to make the eastern shore safe for one negro accused of having lifted his hand against a member of the superior race.

There are signs pointing to an interest in social conditions with a view to doing something about them within our own state. For years ever and anon somebody has given tongue on a trail leading to the University of North Carolina, but as yet no tree bark has produced results.

All that talk of communism and its rifeness in the south amounts to, in our opinion, is that the section is being invaded by the ills which are the inevitable corollary of economic and intellectual growth.

Georgia

Labor—1935

Unions, strikes etc,

Georgia's Vicious Insurrection Law Comes Down From Cruel Slave Statutes of Civil War Days

Eighteen Besides Angelo Herndon Under Indictment

By BEN DAVIS, Jr.

THE "insurrection" law under which Angelo Herndon was sentenced to serve 18 to 20 years on the chain-gang, is in direct line of descent from the cruel slave laws of the earliest colonial days. It is for the repeal of this law, as well as for the freedom of Herndon, that a campaign is being waged to gather two million signatures to a petition to the governor of Georgia.

A law aimed at slave insurrections—which was itself the final form of a whole series of barbarous laws—was passed in 1861. The present insurrection law was passed in 1866. Between these two dates there was fought out one of the most important wars in all history, a war at whose root lay the issue of slavery or freedom for the Negro people. Before the war the Negroes were chattel slaves; after the war they were, for the most part, peons on the land or wage-slaves in the cities. Their conditions approximated far more closely than before the conditions of the vast majority of white people, and the black and white slaves of the new order—dominant capitalism—was far greater than before.

New Law for New Slavery

Between the law of 1861 and the law of 1866, there are small, though significant, differences. Compare the wording of the two: the word "slave" has been changed to the word "person"; the word "master" to the word "state."

LAW OF 1861

"Insurrection shall consist in any combined resistance to the lawful authority of the master or the state, with intent to the permanent denial thereof, when the same is manifested or intended to be manifested by acts of violence.

"Any attempt, by persuasion or otherwise, to induce slaves to join in an insurrection in existence or contemplated, shall constitute an attempt to incite insurrection.

"The offense, when committed by a slave or person of color, shall be punished, on conviction, with death."

LAW OF 1866

"Insurrection shall consist in any combined resistance to the lawful authority of the state, with intent to the denial thereof, when the same is manifested or intended to be manifested by acts of violence.

"Any attempt, by persuasion or otherwise, to induce others to join in any combined resistance to the lawful authority of the state, shall constitute an attempt to incite insurrection.

"Any person convicted of the offense of insurrection, or an attempt to incite insurrection, shall be punished with death, or, if the jury recommend to mercy, confinement in the penitentiary for not less than five nor more than twenty years."

All the predecessors of the law of 1861 were aimed at activities designed to crush rebellion among slaves. There were many brave and brilliantly-organized slave uprisings, and the fear of such uprisings was well-founded. Even in New York, in 1708 and 1712, statutes were passed to prevent and punish slave conspiracies and insurrections. Fear of insurrection led in 1712 and 1741 to wholesale execution of Negroes, and of their white abettors

ANGELO HERNDON

and involved the most cruel punishments.

Mass Executions

Justices of the Peace could impose death as a penalty for insurrection, after summary trials, without a jury. Whipping was provided as the penalty for unlawful assembly of Negroes. Summary trial and death was provided for insurrection. In 1741, one hundred and twenty-five Negroes and two whites were executed in New York for slave uprisings.

During the eighteenth century in Georgia itself, various acts of the colonial legislature prescribed lashing as punishment for unlawful assembly of slaves, and death without benefit of clergy for aiding runaway slaves and for the second offense of striking a white man.

In 1804, the progenitor of the present "insurrection" law was passed in Georgia. This law read

"Be it enacted by the State of Georgia that if any person shall raise or attempt to raise any insurrection of slaves, every person so offending shall on conviction thereof suffer death without benefit of clergy.

"And if any person shall hold any discourse or conversation with any slave or shall make any speech tending to excite such slave to sedition, or write or print any such speech, every person so offending shall be banished this state forever, or, returning, shall suffer death without benefit of clergy."

This law of 1804 was several times revised, and finally culminated in the law of 1861 cited aoove.

Thus we can trace, from earliest colonial times to the present, the law of Georgia governing the relations between slave and master, between wage-slave and the state that is the official representative of the capitalist class.

18 Others Under Indictment

It is not only Angelo Herdon who is the victim of the present Georgia "insurrection" law. Eighteen other persons are under indictment in Georgia under this law. Six workers—who have become known as the "Atlanta Six"—were arrested and indicted in 1930, for distributing a leaflet which showed a Negro and a white boy clasping hands. They are two white women, Mary Dalton and Ann Burlak; two white men, Tom Bowers and Joe Carr, and two Negro men, Herbert Newton and Henry Storey. In 1934, two white girl mill workers, Annie Mae Leathers and Beah Young, were arrested on the picket line during a strike in Atlanta. Later in the same year, in Atlanta, ten workers, white and Negro, were arrested in a series of raids on private homes. They were indicted under the "insurrection" law, their only "crime" being that they were members of the International Workers Order, a working class fraternal insurance organization.

To win the freedom of Herndon, and to wipe this barbrous "insurrection" law off the statute books, a number of influential national organizations, upon the initiative of the International Labor Defense, are undertaking a campaign to gather two million signatures to Governor Eugene Talmadge of Georgia. These petitions may be obtained from Room 610, 80 East 11th Street, New York City.

Help to swell the total! This fight is a fight against one of the most reactionary and dangerous laws ever passed in the United States.

Aid Angelo Herndon

ANGELO HERNDON, young Communist, who is under sentence of twenty years for violating an old slave law in Georgia, wants your help. Herndon led a demonstration of white and colored unemployed to the relief headquarters in Atlanta in 1932. A week later he was arrested and charged with inciting to insurrection. He was convicted and given 18 to 20 years.

The International Labor Defense appealed the conviction and Herndon was released on $15,000 bail. Last May 20 the United States Supreme Court refused to review the decision because of a technicality. Stay of execution has been postponed until the Supreme Court reconvenes in October.

The I. L. D. hopes to secure a rehearing for Herndon, but it is not pinning its entire hopes on the court. With the assistance of scores of radical, liberal and conservative organizations and leaders, including many ministers, a drive has been instituted to get 2,000,000 signatures to a petition asking Governor Talmadge of Georgia to free Herndon. The petition also asks repeal of the old insurrection law which was directed against bondsmen.

You can help Herndon. If he can be forced to serve twenty years for leading the unemployed, the same penalty can be imposed upon any other citizen. The right to protest will be lost in Georgia and other states will follow suit. You may secure one of these petitions from the Angelo Herndon Petition Committee 80 East Eleventh street, New York City. Get one, two, three, a dozen, and have members of your clubs, lodges, churches, and your personal friends sign.

RELIGIOUS GROUPS SEEK TO AID ATLANTA NEGRO

WASHINGTON, Oct. 8.—(AP)—The supreme court today had before it a petition from liberal and religious groups and the National Association for the Advancement of Colored People, asking permission to join in the appeal of Angelo Herndon, Atlanta negro sentenced to 18 to 20 years for activity as a radical organizer.

Attorneys for a dozen national organizations contended in a brief that the supreme court, in refusing to hear Herndon's previous appeal because of lack of jurisdiction, "condemned him to a living death on the Georgia chain gang."

Methodist, Episcopal and Jewish groups and the American Civil Liberties Union were among those joining in the plea.

Cleveland City Council Urges Herndon's Freedom

CLEVELAND, Ohio—The Cleveland City Council last week unanimously passed a resolution urging freedom for Angelo Herndon, for whom a petition to re-hear his appeal from a Georgia chain gang sentence has been filed with the U.S. Supreme Court.

Save Herndon

THE drive initiated by the International Labor Defense to obtain 2,000,000 signatures to a petition to Governor Talmadge of Georgia, demanding freedom for Angelo Herndon and the repeal of the reactionary "slave insurrection" act under which he was convicted, is assuming large proportions.

Two hundred thousand signatures have already been collected. But the tempo of the campaign must be accelerated, if Herndon is to be saved from certain death on a chain gang. His defense is racing against time. At least 1,000,000 signatures must be collected by Oct. 7, the day that the Supreme Court meets. They will constitute a mighty voice demanding the freedom of the heroic Negro fighter.

Time is short. Obtain petitions from the Herndon Petition Committee at 80 East 11th Street, New York City, or from the offices of the I.L.D., the Communist Party, the Socialist Party and the many other organizations who are fighting for Herndon. Rush in the petitions.

New York World Telegram

SEP 7

Southern Woman's View of the Herndon Case.

DEEPLY interested in what you say in your column of July 31 on the subject of the Angelo Herndon case, I take the liberty of presenting to you a point of view which has, perhaps, not been brought to your attention.

I have followed the Herndon case closely, have visited Herndon in jail, have attempted to intercede for him with the Solicitor-General, and was at one time chairman of the Herndon Defense Committee.

Possibly you are correct in implying that the case may not have been tried on its merits. Many feel that it was not definitely established that Herndon actually broke any law of Georgia. Most of the "literature" in his famous suit case was pamphlets that are issued by the Communist party, an organization that is not denied the mails. There is question in many minds as to whether the evidence conclusively proved that Herndon used this for insurrectionary purposes in violation of the Georgia statute. The fact that he possessed Communist literature was seized upon and used to influence the minds of the jury.

Herndon had a right to ask for food for the starving, which right was tacitly admitted in the grant of $6,000 which you mention.

What was it then, which impelled the bitter attack of the prosecuting attorney and brought the prompt verdict from the jury?

Herndon is a Negro. He was proved to be a Communist. It was also proved that it is the avowed intention of the Communist party to incite Southern Negroes to violent action to obtain social and political rights now denied them.

In estimating the feeling of the average white man toward the Negro, one must look at it as a web woven of seventy years of passions aroused by national humiliation, defeat, by economic rivalry and that strange animosity of the strong toward the weak whom they have wronged.

Upon this wall of elemental prejudice the Civil Liberties Union may cast its petition of two million or ten million names of Northern intellectuals with as little effect as a grain of dust.

But, bad as it is, the situation may be changed by time and the right kind of understanding effort. The Communist way is not the right way. It meets force with force.

For many years earnest men and women of both races have been working to build up a better understanding between the races.

Through such organizations as the National Assn. for the Advancement of Colored People, the Interracial Commission, the Urban League, the many Negro colleges and universities, effort is being made to promote mutual sympathy, tolerance and respect. There are signs of a better day approaching.

Our good friends in the North could very materially assist if they would call attention to these constructive influences steadily at work, rather than emphasize the sensational and disruptive episodes which have, unfortunately, figured so prominently of late!

MARY RAOUL MILLIS,
Atlanta, Ga.

Brief In Herndon Case Filed By I.L.D. Attorneys Before Supreme Court; NAACP Offers Support

WASHINGTON, D. C.—A brief as amici curiae (friends of the court interested in the cause) in the Angelo Herndon case has been field by the National Association for the Advancement of Colored People and others in the United States Supreme Court. The brief is in support of a motion for a rehearing of the case which has been made by Herndon's attorneys of record, Messrs. Whitney North Seymour, Walter Gellhorn, Carol King and Herbert T. Welcher, who were retained by the International Labor Defense.

Last May the Supreme Court, by a six to three decision, declined to review the Herndon appeal, holding that his lawyers had not raised the federal question properly. His lawyers have appealed from this technical ruling and have asked the court to reconsider the case. The motion for rehearing is expected to be heard within the next six weeks.

Herndon, meanwhile, was granted a stay of execution of his sentence by Justice Owen J. Roberts until 10 days after final action by the highest court. He was sentenced to from 18 to 20 years on the chain gang in Georgia after his conviction in Atlanta of "insurrection" because he led a demonstration for better relief.

While awaiting action of the court, the International Labor Defense is actively engaged in its campaign to gather two million signatures to a petition to Governor Talmadge of Georgia asking Herndon's freedom and repeal of the "slave insurrection" law, an ancient statute which the state used to convict the young Negro.

The N. A. A. C. P. brief maintains that the federal question was raised at the earliest possible moment in the trial and that it was properly preserved for review. Charles H. Houston is counsel for the association. Among other organizations supporting the brief are the American Civil Liberties Union, represented by Arthur Garfield Hayes and Morris L. Ernest; the Church League for Industrial Democracy, the Methodist Federation for Social Service, and the Justice Commission of the Central Conference of American Rabbis.

Act Now for Herndon

IN REPEATED letters answering appeals from prominent individuals, Governor Eugene Talmadge of Georgia has refused to consider the question of the freedom of Angelo Herndon "because the case was before the United States Supreme Court."

Monday's decision of the United States Supreme Court, a second time refusing to consider the merits of the Herndon case, dooming this heroic young Negro labor leader to death on a Georgia chain-gang, puts the question squarely up to Governor Talmadge again.

The Supreme Court has again hidden behind a technicality, and in doing so has removed the technicality behind which Governor Talmadge has been hiding.

Governor Talmadge can so act that Angelo Herndon will not have to serve a single day of his monstrous 18 to 20 year sentence on a Georgia chain-gang.

Let Governor Talmadge know the demand of the millions that Angelo Herndon shall not go to the chain-gang! There is very little time. Let every friend of justice, every friend of the Negro people, every friend of organized labor, make the most of it! Wire Governor Talmadge today—demand that he set Herndon free!

Circulate the Herndon petitions addressed to Talmadge! Rush them to the Herndon Petition Committee, 80 East 11th Street, New York City. Write a letter from your organization, one from yourself, get your friends to write, to Governor Talmadge, in Atlanta, Georgia, demanding Herndon's freedom! Funds are needed to carry on this fight, into the state of Georgia, direct to Governor Talmadge.

Angelo Herndon must be saved from even a single day on the chain-gang! Act now!

Labor—1935

Unions, Strikes, etc.

Georgia

Want To Know the Inside Story of the Herndon Case? Read the Facts As Angelo Herndon, Himself, Tells Them

EDITOR'S NOTE: The article below was the last written by Angelo Herndon before he returned to Georgia to surrender himself, on October 28, to begin serving his sentence of 18 to 20 years on the Georgia chain-gang. It tells for the first time the full story of the demonstration of Atlanta's unemployed which was followed by his arrest and conviction under the 1861 slave insurrection statute.

By ANGELO HERNDON

Thursday, June 30, 1932, is one day of my life that I can never forget. That day saw the first great joint demonstration of white and Negro workers in Georgia, in more years than almost anyone could remember.

That day was the start of the Herndon "insurrection case". So many people have asked me: "How did it all begin?" that I want to tell, here and now, the story of that demonstration. Here are the facts, and they prove that the sentence of 18 to 20 years on the chain-gang, which the Georgia courts had handed down and the supreme Court upheld, was given for one reason only—that I dare to ask for bread for starving people.

When the relief stations in Atlanta closed down in the middle of June, 1932, twenty-two thousand men and women were brought face to face with starvation. Not poverty, such as they had always known even when they were at work. Not the hunger they experienced on the half-rations and quarter-rations doled out by the relief stations. But, quite simply and literally, starvation and eventual death.

Community Chest Had Money

Why were these workers being thrown off relief, people asked? They remembered that only a few weeks before that, the Community Chest of Atlanta had closed its drive for funds, with the announcement that it had collected $800,000.00 The question was put most sharply by the workers organized in the Unemployment Councils, which were meeting, in groups of five or six, in private homes, behind drawn shades.

After the relief stations closed, the Commissioners of Fulton County, of which Atlanta is the seat, met to consider the situation. Some of the commissioners were in favor of piling more taxes on the workers and small home-owners. But Frank Neely, the executive director of the Community Chest, had another idea. He pointed out that hundreds of farms in the state had been taken over for taxes—which was quite true—and were now lying idle. He proposed that the city and county authorities round up all the "idle" in the city, and ship them, with their families to those farms, to work for their board. Neely said: "A little elbow grease won't hurt them."

When the workers of Atlanta heard about this proposal, they were sore. They knew a couple things that hadn't been discussed in the County Commission. One was that the farms had been abandoned because the farmers, even with an experience gained over many years, even with the small fund of tools and work-animals they had been able to accumulate, hadn't been able to make a go of farming. They had failed, first and foremost because hungry and ragged people had no money to buy the food and cotton that the farms could raise. And here the county commissioners were planning to send workers who had no knowledge of farming, no tools, no work-animals, no seed, and dump them on these worn-out farms!

"I Can't See Any Starvation!"

The workers knew, also, that Frank Neely drew $6500 a year on his job, and maybe more on the side.

One of the commissioners, Mr. Hendrix, said that there were no starving families in Atlanta, or if there were, he hadn't seen any. Well, he probably hadn't at that. The unemployed at Atlanta had too much "manners" to walk up and down Peachtree Street and spoil the good times of the well-to-do people popping in and out of its beautiful stores and theaters and restaurants. The Atlanta jobless were standing in line at the relief stations, or huddling bit of coal. They were polite enough to starve out of sight, in places where Mr. Hendrix never came.

Walter S. McNeal, another one of the commissioners, was enthusiastic about Mr. Neely's idea of having the police round up the "idle" and ship them back to the farms. The word "idle" was no doubt a slip of the tongue. Mr. McNeal and Mr. Neely didn't mean the "idle" wives of the bankers sitting in on bridge games; nor the "idle" sons of the big factory owners playing about on the golf courses. He just meant people who were "idle" because all the factories in Atlanta had turned them away.

"Insurrectionary Literature"

The Unemployment Council got up a leaflet — which was later given the name of "insurrectionary literature", and presented it to the grand jury as one of the reasons why I should serve 18 to 20 years on the chain-gang. Here is the leaflet:

"WORKERS OF ATLANTA!

"Employed and Unemployed

Negro and White

Attention!

"Men and Women of Atlanta:

"Thousands of us, together with our families, are at this minute facing starvation and misery and are about to be thrown out of our houses because the miserable charity handout that some of us were getting has been stopped! Hundreds of thousands of dollars has been collected from the workers in this city for relief for the unemployed, and most of it has been squandered in high salaries for the heads of these relief agencies. "Mr. T. K. Glenn, president of the Community Chest, is reported to be getting a salary of $10,000 a year. Mr. Frank Neely, executive director of the Community Chest, told the County Commission Saturday that he gets $6500 a year while at the same time no worker, no matter how big his family, gets more than two dollars and a half weekly to live on. If we count the salaries paid the secretaries and the investigators working in the 38 relief stations in this city, it should not surprise us that the money for relief was used up and there is no more left to keep us from starvation. If we allow ourselves to starve while these fakers grow fat off our misery, it will be our own fault!

"The bosses want us to starve peacefully and by this method save the money they had accumulated off of our sweat and blood. We must force them to continue our relief and give more help. We must not allow them to stall us any longer with fake promises. The city and county authorities from the money they have already collected from us in taxes, and by taxing the incomes of the bankers and other rich capitalists, can take care of every unemployed family in Atlanta. We must make them do it.

"At a meeting of the county commissioners last Saturday, it was proposed by Walter S. McNeal, Jr., to have the police round up all unemployed workers and their families and ship them back to the farms and make them work for just board and no wages, while just a few months ago these hypocrites were talking about forced labor in Soviet Russia, a country where there is no starvation and where the workers rule! Are we going to let them force us into slavery?

"At this meeting, Mr. Hendrix said that there were no starving families in Atlanta, that if there are he has not seen any. Let's all of us, white and Negroes, together, with our women folk and children, go to his office in the county courthouse on Pryor and Hunter Streets, Thursday morning at 10 o'clock and show this faker that there is plenty of suffering in the city of Atlanta and demand that he give us immediate relief! Organize and fight for unemployment insurance at the expense of the government and the bosses! Demand immediate payment of the bonus to the ex-service men. Don't forget Thursday morning at the County Courthouse.

"Issued by the Unemployed Committee of Atlanta, P. O. Box 339."

"Cops Get a Shock"

The call was for June 30, and on that morning the Atlanta cops got the surprise of their life. One thousand white and Negro men, women and children gathered in front of the county courthouse and walked up to the fourth floor and demanded to see the commissioners. The workers showed a new spirit that day. When one of the cops approached a worker and said: "We're going to ship you back to the farm to work for your keep," the worker answered: "I know two who aren't going." The cop wanted to know who they were, and this is the answer he got: "Me, and you if you come after me." The cop backed off and said he was only fooling.

The next day the county commission voted $6,000 additional relief for the jobless. And eleven days after that—during which the police were keeping a sharp eye on Box 339 at the post-office—I was arrested as I went there to get my mail.

That was how the "insurrection" case started — because we were hungry.

Angelo Herndon's Atlanta Return

By JOSEPH NORTH
in The New Masses

ATLANTA, Ga. — The train carrying Angelo Herndon back to a Georgia chain-gang had four golden bars running all around the stream-lined locomotive and the first pullman car was named Rotary Club. It was one of the fastest trains in the world and it tore down the Atlantic Coast as though demons were pursuing it, the siren kept sounding every few minutes in a low, mournful wail through Delaware, Virginia, the Carolinas and Georgia.

"That damn whistle," Herndon said to me at three-thirty in the morning somewhere in North Carolina, "sounds like somebody crying for his lost soul."

The Supreme Court of these United States decreed two weeks ago that Angelo Herndon had to go back to Georgia and serve eighteen to twenty years on the chain-gang. The jury had recommended mercy. The Supreme Court didn't say so in its review of the case, but the crime Herndon had committed was to have a dark skin and to ask bread for Georgia's starving people. And I have seen these people. They are wild-eyed with hunger.

Atlanta, Georgia, is the only city where I ever saw cats and human being roam the main streets searching for food. On Marietta and Forsyth Streets, in the heart of town, I saw lean cats slink down the gutter and I saw white farmers (oh, we have no peasants in America) carrying their children, naked save for diapers, begging for a nickel for something to eat. They beg on streets handsome with skyscrapers and Atlanta has a proud skyline you see in long pictures in cigar stores and it is called the "Convention City of the South."

Indeed while I write the American prison Association is holding its Sixty-fifth Annual Convention here at the Biltmore and warden Lawes of Sing Sing has just delivered a stirring address "Humanizing Our Prisons" at the very time Herndon was delivering himself up to the chain-gang.

I saw a chain-gang and the clink of the chains sound musical from a distance like ice bumping against the thin glass holding a Georgia planter's mint julep. I saw prisoners in stripes chained to each other working from "can to can't" i. e., from daybreak when you can see to nightfall when you can't.

Herndon came a thousand miles to hand himself over to the authorities. He is charged with inciting to insurrection. I wrote the acount for The New Masses when Herndon was freed on $15,000 cash bail about a year and a half ago. I repeat: This lad stands up with John Brown and Nat Turner, a twentieth-Century Abolitionist — dream of John Brown and Nat Turner with the wisdom of George Dimitrov.

Listen: He caught the train in New York, on his own, free, twenty-on-year-old will to ride a thousand miles to the chain gangs of Georgia. Life, I need not tell you, is sweet at twenty-one and many persons said he would jump bail. George Schuyler, columnist of The Pittsburgh Courier, said he was a damm fool if he didn't. But eighteen more are charged with insurrection in Georgia. And Herndon, son of the Negro people and of the proletariat, went back to see if the people of Georgia could stand up and fight for the right to live like men. He came back to fight this nineteenth-century charge.

We sat up 1,000 miles and talked. (Black passengers can't get sleepers anyway South of the Mason-Dixon Line.) Herndon is a citizen of the future and those who live in the future can hang their hats anywhere in the present and be at home. We sat in the Jim-Crow car and talked at our ease about everything in life. Herndon's nose was glued to the pane and we sat there watching America fly by.

There was Jersey and the Crempa-Jersey Power case and the spot where Dutch Schultz was rubbed out; there was Delaware where duPont makes dynamite and owns every inch of the state; Virginia was dark but the lights of Richmond flickered and here Lee surrendered and the Civil War ended freeing the slaves. And now the train was roaring through Dixie seventy miles and hour carrying twenty-one-year old Angelo to twenty years on a chain gang. It was coming dawn in North Carolina and at four-forty the train stopped at Gastonia, right in front of The Gastonia Gazette which called for the lynching of the textile organizers in the famous 1929 strike. The sun came up hot and red when we hit South Carolina and Angelo pointed out two bloodhounds about a quarter of a mile off loping through the meadows, their longer ears flopping. It was scarcely dawn when we saw the Southern textile mills aglow and I looked through the window of a shack in a mill village and saw a young woman "operative," as The New York Times calls her, combing her long hair before ten—twelve speed-up hours at the loom. The soil began to turn red-rusty and we both got a little excited when we saw the first cotton fields and the cotton pickers out in the fields gleaning the final few bolls, packing them in burlap sacks slung at their sides. We saw the rickety shacks with the bales of cotton piled high. Waiting for a good price," Herndon aid. "I've laid in those cabins in the Black Belt," he said, "and looked up in the middle of the night and seen the moon and stars through the cracks in the roof."

We talked about life and we talked about his dreams. He remembered Lenin's statement that revolutionaries need not be afraid to dream.

"Would you like to go to the U. S. S. R. for a spell if you were freed now?"

"Oh, I would, of course, but Jesus, Joe, there ain't time. There's too much to do in the U. S. A."

"What work would you prefer when you get out of prison here?"

He grinned. "I like to count chickens when they're hatched. But I do know what. I'd want to work among my own people. They have special problems with which I'm best acquainted." We got to talking of the things he had done since he came out of jail some sixteen months ago. First of all, he had spoken all over America to more than a million people.

"And how does America look to you?"

"Once you go around and see it, Joe, you love it. It is a magnificent country. I love its factories and mills and I love the lay of the land. I loved Oregon most of all because the mountains are higher there and make you feel grand—make you feel like a man ought to. It's a wonderful country but it belongs to the wrong people. Everywhere I went I saw it was the America of the capitalists. I want to see it the America of the people who built it."

It was after we saw the bloodhounds with long ears flopping, somewhere past Gastonia, that he got to talking about how he had discovered Communism. I reported that in my first article on Herndon over a year ago. But today he said, "It was like, all of a sudden, turning a corner on a dirty old street and finding yourself on a broad, shining highway."

Georgia, red-brown soil, the people bony, underfed, driving consumptive mules with long jittery ears along rusty-dusty highways. The shacks rickety and humanity barefooted. This is the state with the motto, "Wisdom, Justice, Moderation." This is the state which passed the following law after the Nat Turner Slave Rebellion in 1933 and now holds Herndon with it in 1935:

Any person convicted of the defense of insurrection of slaves or of an attempt to incite insurrection of slaves shall be punished with death, or if the jury recommend to mercy confined in the penitentiary for term of not less than five years or more than twenty years.

Atlanta: We went to the Negro neighborhood. Talk about the hovels and the mudstreets of Aduwa and Adigrant. We needn't be uppitty about Yankee Progress. Where we stood, here in the second biggest city of the South, the homes leaned on rickety brick piles, the night stars shone through the cracks in the frame-structures. And the people hungered.

But what people: "Angelo Herndon: Well, I'll be blessed! Angelo Angelo Herndon!" They kissed him and they took him in. I dare not mention the name of the family which took us in, for the Reverend Hudson, Atlanta's official Torquemada and Assistant Prosecutor, would hunt them down. Anyway, they lived in one of these shacks in "Darktown" and they offered us their hospitality and though they were half-starved they went out and hustled up food and they fell all over themselves making things good for Aneglo.

They knew the next morning he was to give himself up to 18 or 20 years on the chain gang and he was theirs and he spelled liberation. They wanted to do everything they could do to make him happy these few hours before he went to Fulton Tower—"the big rock."

They went out and brought back fish which they fried but there was no money for wine. We ate garfish at midnight and then after we were through talking and nobody wanted to sleep they played the little victrola. It was dark inside, no gas, nothing but lamplight and that only in the kitchen, and our shadows danced all over the walls. They looked for something cheerful to play among the twenty-year old records but all the records were blues. There were The Back Water Blues and The Deadcat Blues, The Birmingham Gambling Man Blues and The Mean Woman Blues which sang:

Blues got me drinkin'
Trouble got me thinkin'
And it's gonna carry me to my grave...
It's mean for a woman to be drinkin'
When she ain't got a dollar

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Georgia

Georgia Insurrection Law Called 'Ridiculous' By Negro's Counsel

ATLANTA, Nov. 12.—(AP)—Georgia's ancient insurrection law was attacked as unconstitutional and "ridiculous" today by attorneys for Angelo Herndon, Cincinnati negro communist, who sought his release on a writ of habeas corpus from an 18 to 20-year chain-gang penalty.

Herndon was convicted in 1932 and his case has attracted widespread attention during its course through the State courts and to the Supreme Court of the United States.

Whitney North Seymour, of New York, former assistant solicitor general of the United States, reviewed the basis of the attack on the constitutionality of the law. Seymour was retained to represent Herndon by the International Labor Defense.

"The main constitutional questions are whether the statute unduly restricted the right of free speech and assembly; whether Herndon was deprived of his liberty without the due process of law; and whether the nature of the evidence violated Herndon's constitutional rights,' Seymour said.

He will continue his arguments tomorrow, after which the State's side will be heard.

W. A. Sutherland, Atlanta attorney said the habeas corpus petition was asked on the contention that the insurrection law was unconstitutional in that it violated the constitutions of the United States and of Georgia.

Pointing out the law was passed in 1866, he said only one other man was convicted under it and that conviction was set aside in 1868.

"It is unusual that Georgia, where good relations exist between the negro and white man and where the negro has played no part in our political life should single out a negro boy for its first victim under the insurrection statute," Sutherland said.

"This law places Georgia in a ridiculous light before the rest of the world."

In Herndon's original trial, the State charged he was plotting to set up a negro republic in the South. The State demanded the death penalty and Herndon was saved only by a recommendation for mercy by the jury. Since then, his cause has been supported by the International Labor Defense, the communist and socialist parties, and numerous other organizations.

WRIT APPEAL FOR HERNDON ON IN GEORGIA

Counsel Shows Law's Constitutionality Had Never Been Tested

ATLANTA, Ga., Nov. 12.—Angelo Herndon appeared in court today after spending fifteen days in Fulton Tower prison awaiting a hearing on a writ of habeas corpus before Judge Hugh M. Dorsey in the Fulton County Superior Court here. He was represented by W. A. Sutherland of Atlanta and Whitney North Seymour of New York, who were retained by the International Labor Defense to plead Herndon's case before the United States Supreme Court last April.

On May 20, that court by a six to three decision refused to review the case, claiming no jurisdiction on the grounds of a technicality. The Supreme Court refused to grant a re-hearing in the Herndon case last October when in addition to the brief prepared by the I.L.D. attorneys, an amicus curiae brief was submitted by a group of interested organizations and individuals, including the National Association for the Advancement of Colored People, religious groups, Rabbi Stephen S. Wise, and prominent churchmen.

Constitutionality Never Tested

The writ is sought on the grounds that the constitutionality of the ancient Georgia "inciting to insurrection" law under which Herndon was tried and sentenced to 18 to 20 years on the Georgia chain-gang had never been tested in state or federal courts.

sent to debate in Atlanta, on the grounds that the right of free speech being what it was in Georgia, he would "probably meet the same fate that now faces Angelo Herndon."

Should the writ of habeas corpus be denied today, appeal would be taken to the highest courts, the International Labor Defense announced.

"We have left no stone unturned to win Herndon's freedom during the last three years," stated Anna Damon, acting National Secretary of the I.L.D. "We appealed the case through the Georgia courts up to the Supreme Court of the United States. We involved hundreds of organizations and individuals in the twenty-three day campaign which raised the $15,000 cash bond set by Georgia authorities in August, 1934. We urge all friends of justice to redouble their efforts in collecting signatures on the petition lists addressed to the Governor of Georgia. We urge them also to flood him with written demands for Herndon's freedom. And we ask that all possible financial support be rushed to the I.L.D. at 80 East Eleventh Street, New York, to assure the possibility of carrying on the mass and legal defense for Herndon."

Atlanta, Ga. Constitution
November 13, 1935

OLD GEORGIA RIOT LAW HIT IN HERNDON CASE

New York Attorney Attacks Constitutionality of Statute. Case Continues Today.

Georgia's ancient insurrection law was attacked from all sides yesterday as Judge Hugh M. Dorsey began the habeas corpus hearing for Angelo Herndon, negro communist, who was convicted in 1932 of attempting to incite to riot.

Lawyers for the negro asserted the law under which he was convicted is contrary to the constitution, which provides for free speech, free press and free assemblage.

And besides that, the attorneys contended, Angelo never attempted to incite a riot, anyway. He only made an effort to organize the labor forces in Georgia, they said.

The hearing was recessed at 5 o'clock yesterday by Judge Dorsey until 9 o'clock this morning.

Negro's Legal Staff.

Whitney North Seymour, of New York, a former assistant United States solicitor-general, heads the legal staff appearing for Herndon. His associates are W. A. Sutherland and Elbert P. Tuttle, well-known Atlanta lawyers.

Seymour contended Georgia's insurrection law has never been tested in the supreme court and that it is unconstitutional. Also, he declared, it is too vague and indefinite for any conscientious jury to convict a person charged with its violation.

The state's opposition to the habeas corpus is being presented by Major J. Walter LeCraw, assistant solicitor-general. He will have the concluding argument this morning.

Herndon was charged by the state in the original trial, before Judge Lee Wyatt, of LaGrange, with attempting to organize a negro republic in Georgia. To this, Seymour answered Herndon was only furthering the interests of the communist party in attempting to organize the labor forces in the state as a part of the general communist program throughout the "Black Belt."

"Force" Not Reasonable.

He declared that in all the communistic literature found in Herndon's possession at the time of his arrest there was not a single word which advocated using force to overthrow the government. In one book, written by a clergyman, he admitted, there was one little passage which said something about force, but the New York lawyer asserted Herndon did not distribute this volume at all. He had it for his personal use, he said

Seymour declared that even if Herndon had mentioned anything about "force," it really would not have been a threat against the Georgia government because in the state in 1932 there were only 27 or so communist voters. He also argued that the negro was deprived of his liberty without due process of the law and that the nature of the evidence on which Herndon was convicted was unconstitutional.

The famous New York attorney came here specially for the trial and will leave for New York immediately following a decision on the case.

Herndon's defense is being paid for by the International Labor Defense and the communist and socialist parties and other organizations.

The United States Supreme Court recently refused to review the case because constitutional questions had not been presented in the correct form, the negro's attorneys said.

THE HERNDON CASE

ELSEWHERE in this issue, THE EAGLE prints in full the personal story of Angelo Herndon with respect to the cause upon which he was sentenced, under an outworn Georgia slave-law, to certain death on the Georgia chain-gang. This story is well worth reading, for obvious sincerity and truth illumine it.

The picture which this story presents of "might making right" is too well known for comfort. Protests, hunger-marches, mass demonstrations and all these, are part and parcel of America's national life, whether we who are more sober in thought and action agree with their efficacy and expediency, or not. And the mere fact that Herndon did organize and lead a demonstration in Atlanta, such as he confesses in his own story, is by no means even the slightest justification for his conviction in this so-called "Land of the Free".

Leaders of thought and action in America of all groups should unite in seeing to it, by some method known to law and order, that Angelo Herndon is set free.

Atlanta, Ga. Journal
November 13, 1935

NEGRO REPUBLIC HINTED IN COURT

Moscow Ordered Move, Is Charged in Herndon Hearing

By the Associated Press

Assistant Solicitor J. Walter LetCraw, opposing release of Angelo Herndon, Cincinnati negro Communist, from an eighteen to twenty-year sentence for "attempting to incite insurrection," told Fulton Superior Court Wednesday the international Communist party had ordered creation "of a republic of negroes in the south."

Attorneys for the negro, in their arguments at a habeas corpus hearing before Judge Hugh M. Dorsey, which began Tuesday, attacked the 1866 Georgia insurrection law as unconstitutional.

The attorneys claimed it violated both the state and national constitutions providing for freedom of speech, press and the right of assembly.

LeCraw, in his arguments for the state, pictured Herndon as an organizer for the international Communist party.

"The international Communist party at Moscow," LeCraw told the court, "ordered the United States party to create a republic of negroes in the south.

"Russia ordered the American Communists to confiscate property from the white people and to establish a state in the black belt, extending from Virginia to Texas.

"The white minority in the state would have been made to submit to the will of the negroes."

W. A. Sutherland, one of Herndon's attorneys, said there was no doubt the case "will have to go to the Supreme Court of the United States, no matter which side wins."

After hearing rebuttal arguments from Herndon's attorneys Judge Dorsey took the case under advisement. He did not indicate when he would announce his decision.

Attorney Sutherland said the case is a "tempest in a teapot." There is "absolutely nothing in the case that touches on a tendency to injure the government," he added.

"Six members of the Communist party in Atlanta with all the literature in Russia," said Sutherland, "would be no danger to our government."

Carry on the Fight

ONCE more through the united action of hundreds of thousands of people, Angelo Herndon is free on bail. The Georgia slave insurrection law has been declared unconstitutional.

But Herndon is not free unconditionally, and the 1861 law is not finally wiped off the statute books.

These are tasks which remain for the united front to accomplish, through continuation of its campaign and broadening of its scope.

The state of Georgia, given 20 days under the law to appeal from the decision of Judge Hugh M. Dorsey of Fulton County Superior Court, against his decision freeing Herndon on bail, and declaring the insurrection law unconstitutional, has announced it will do so.

The state of Georgia is determined to keep the law on its statute books. It is determined to send Angelo Herndon to the chain-gang for 20 years.

The united campaign of all those opposed to oppression and tyranny, all friends of liberty and democratic rights, can bring this victory to a glorious and final conclusion.

Build joint Herndon committees everywhere, collect funds to continue the fight, collect signatures to the petitions to Governor Talmadge. Send funds and signatures to the International Labor Defense, 80 East 11th Street, New York City

Charleston, S. C. News & Courier
November 13, 1935

Reason to Pardon Herndon

The irony in the case of Angelo Herndon negro of Cincinnati, and communist, is that he was convicted in Georgia and sentenced to serve from fifteen to eighteen years in prison under a statute "passed in Reconstruction times." No one, not even a negro communist from Ohio, should be sent to prison in a Southern state for violation of a statute passed by the negroes and carpetbaggers (many of the carpetbaggers were negroes) in Reconstruction times. Herndon should be pardoned by the governor of Georgia for that reason if for no other.

Negro Communist's Case In Lap Of Georgia Court

ATLANTA, Nov. 13.—(AP)—The constitutionality of Georgia's 1866 insurrection law was at stake tonight as Superior Judge Hugh M. Dorsey considered a plea of Angelo Herndon, Cincinnati negro communist, for escape from an 18 to 20 year chaingang sentence.

Herndon, convicted in 1932, has never been on a chaingang as his case has been in the appellate courts constantly since his conviction. He was charged with attempting to incite a rebellion.

Judge Dorsey, a former governor of Georgia, said his ruling on the habeas corpus petition would be delayed several days. Attorneys indicated the case would reach the Supreme Court of the United States on appeal.

Herndon's attorneys called him a harmless negro boy, trying to drum up members for the communist party. Assistant Solicitor J. Walter Lecraw called him an "agent for the international communist party at Moscow, trying to set up a negro republic in the South."

Too Tender to the Reds

The results of the rioting in the Northern provinces of Brazil, where land, sea, and air forces of the regular army have been hurled against a little knot of Communists has resulted in crushing the revolt, should be a lesson to us that there is neither wisdom nor common sense in trifling with groups of agitators who have no hope of really accomplishing anything except to stir the spirit of unrest.

The little group of reds in the state of Rio Grande do Norte and Pernambuco had not the slightest reason for presuming they could gain the ultimate control of the Brazilian army and navy. The whole strategy of the Communist movement, directed from the Third International, and largely financed by the inheritance of a wealthy New England moron by the name of Garland is to take advantage of every delicate situation and make it yield as much trouble as possible. Here in Georgia thouands of Negroes are sent to the chain gang every year. One of them by the name of Angelo Herndon placed himself at the head of a movement to wage war wth fire and slaughter against innocent men and women and to set up a soviet form of government in five Southern states. It is often pointed out that the act he violated was passed early in the days of reconstruction when the example of Cordy Harris and others had aroused genuine fear of a Negro uprising. Whenever it was passed will make no difference as to the merits of the case. This law simply provided that any man who was guilty of insurrection against the established order in this state should be punished with death or by a term of imprisonment under recommendation of the jury. Angelo Herndon was absolutely guilty of seeking to arouse the Negroes of the South to acts of violence against the Southern people. The truth of the matter is that, as a former attorney general of Georgia said, Herndon should have been hanged as high as Haman without the slightest delay.

But one of those leading organizations financed by the Garland fund and the Third International intruded itself to take charge of this case, not because it cared a happy hurrah for the life of this Negro but because it could make him a good subject to agitation by beating the tomtom in the interest of commerce.

Those who believe that the proper method of handling Communist agitation is one with gloves on instead of meeting force with force and meeting it first have seen what this policy leads to in Brazil. The United States is traditionally hospitable to the advocacy of every form of government which makes its appeal to the intellect, but if we laid aside our tolerant tenderness of the parlor Communists of this country who would overthrow the government which fosters them and place them, morning after morning, before the firing squad we would save ourselves a good deal of embarrassment in the future. About one man in a million out of the men and women who join in Communist demonstration really know what they are talking about and the others are simply "out for the ride". The friends of law and order are getting mortally tired of communism in the churches, schools, and universities where professors receive funds from the state to teach the overthrow of the state.

There is just one language they understand which is not an honorable appeal to their higher nations not to bite the hands and feet, but it is that the biting should begin at the other end.

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A.F.of L. CONVENTION BACKS FIGHT AGAINST GEORGIA "SLAVE INSURRECTION" LAW

Crusader News Agency 10-26-35

ATLANTIC CITY, N.J.--(CNA)- A resolution calling on the unions of the American Federation of Labor toback the fight against the Georgia "slave insurrection" law, under which Angelo Herndon was sentenced to serve 18 to 20 years on the chain-gang was passed by the 55th annual convention of the American Federation of Labor, in session here last week. new york, n.y.

Many delegates to the convention expressed the opinion that the sentence against Herndon was a blow at the trade union movement.

James Carey, President of the National and Allied Trades, stated: "While such laws as the Georgia insurrection law exist, labor will never have the power to organize freely and win demands to which it is entitled."

"We've got to make a nation-wide campaign for Herndon's freedom, and to repeal the insurrection law," declared Emil Costello, delegate from Wisconsin. "There will be lots of A.F. of L. organizers on the same chain-gangs unless the trade unions throughout the country demand that such laws be stricken from the book."

The president of the United Mine Workers local of Butte, Montana, urged immediate action for Herndon on the part of trade unionists, saying: "The law under which Herndon was convicted serves to put our best leaders in jail. They should be repealed at once and the victim set free."

WRIT OF HABEAS CORPUS SOUGHT FOR HERNDON'S FREEDOM

Five Day Stay Won

Crusader news agency

NEW YORK-(CNA)- The Georgia chain gang -- America's "Black Hole of Calcutta" -- gaped wide for Angelo Herndon last Thursday -- but he wasn't there.

10-26-35 new york, n.y.

The powerful mass protest of the American people began its telling effect when five more days were added to Herndon's freedom.

Although scheduled to return to the chain gang on October 24th, the failure of the United States Supreme Court to send down the mandate of its latest decision to the Georgia state officials, postponed Herndon's return until Monday, October 28th.

File Habeas Corpus Writ

Meantime Whitney North Seymour, retained as defense counsel by the I.L.D. and noted constitutional lawyer, is prepared to file a writ of habeas corpus for Herndon's release as soon as the young hero steps inside the prison gates. W.A. Sutherland, leading member of the Georgia bar is associated with Mr. Seymour.

Anna Damon, acting National Secretary of the I.L.D., warned all fighters for Herndon's freedom that the petition campaign must be speeded up and the requisite

Why Angelo Herndon Cannot Jump His Bail

Angelo Herndon eluded the chain gang for a few days last week, awaiting Georgia's receipt of proper legal papers from the United States Supreme Court.

It is plainly evident that this State intends to imprison him at hard labor for eighteen years on the charge of exciting insurrection. Crusader news agency 11-2-35 new york, n.y.

It doesn't matter that Herndon has committed no crime;

It doesn't matter that the communist literature found in his possession is also circulated freely throughout the State in schools, public libraries and among prominent persons;

It doesn't matter that the ancient law under which Herndon was convicted was passed in 1833 and amended in 1861 so as to prevent free speech and assembly among colored people;

It doesn't matter that Herndon has already served twenty-seven months in prison pending appearance of his case to the U.S. Supreme Court--

Georgia is dead set on barring communism and preventing any co-operation between black and white workers.

Two other colored, and four white persons, indicted similarly under the same law, have not been brought to trial.

Georgia has staked everything on imprisoning Herndon, and with the help of the U.S. Supreme Court has until now won its case.

Herndon could jump his $15,000 bail

2,000,000 signatures obtained by October 28th. She declared that the campaign for Herndon's freedom must not be permitted to lag.

"Confidence cannot be placed in the courts", she said,"for the courts have refused at every step to rule in accordance with the law and the facts in the Herndon case".

Pardon Sought

Governor Talmadge of Georgia has full power to free Herndon. In a recent interview he said that he would not consider freeing Herndon until after all actions in the courts had been exhausted.

In the case of John Downer, sentenced to die on a framed charge of rape, Gov. Talmadge sent the innocent man to his death after a secret conversation with the alleged victim.

The writ of habeas corpus will be based upon the decision of the United States Supreme Court, which refused to consider the merits of Herndon's case. Three justices dissented from the opinion, exposing the flimsy technicalities used by the majority of the court.

Contributions to carry on these last minute legal steps should be rushed to the I.L.D., 80 East 11th Street, New York City.

and save his own skin, but that would not bring civic liberty back to Georgia. That would be merely dodging the issue.

So Herndon must go back to Georgia and to the chain gang, as a martyr to his cause.

He's another Tom Mooney, a Sacco or a Vanzetti. That he is willing to give his freedom or his life for his cause is the finest demonstration of moral progress in the present century.

Here is a new Nat Turner and a new John Brown. Here is a man who loves liberty well enough to sacrifice for it, live for it, or die for it.

No medieval knight ever went forth to battle in a more glorious cause; none ever hurled a shining lance with more justice against the powers of evil and oppression.

And because of this willing sacrifice Communists, Socialists, Republicans and Democrats alike must see to it that Herndon's sacrifice shall not have been made in vain.

Strike Suggested to Save Herndon from Chain Gang

Mother Bloor, 73, Labor Leader, Presents Plan in Philadelphia

A.F. of L. SNUB ON COLOR PROBLEM HIT

Sharecroppers' Fight Set as Pattern.

PHILADELPHIA — A nation-wide strike to save Angelo Herndon from a Georgia chain gang was suggested on Thursday night by Ella R. (Mother) Bloor, white, 73-year-old strike leader, at a Herndon protest meeting in the Scottish Rite Cathedral, Fitzwater and Mole Streets.

Herndon, 22-year-old labor leader, was to have begun an 18-to-20-year sentence on the chain gang last week, but was granted a stay until October 28.

Herndon was convicted under a Georgia statute dating from the Civil War, in connection with a relief protest. The Supreme Court has refused to review his case.

Considers Case Worst

Mother Bloor, a member of the national committee of the American League Against War and Fascism, informed the group that she considers the Herndon case one of the worst fascist propaganda cases in the history of America.

Just liberated from a Nebraska jail for leading some workers to the Fairmount Creamery to try to reach a wage agreement, Mother Bloor declared that no cognizance of her old age was ever taken by the authorities, and many times a dog in the jail received better treatment than she.

A. F. of L. Censured

Mother Bloor censured Mussolini for his conquest of Ethiopia and expressed herself against America's shipping materials to Italy and none to Ethiopia.

Relative to the American Federation of Labor taking no action at its recent convention, on discrimination in local unions, Mother Bloor said:

"It was a great loss. I am still firmly of the belief that the colored people will handle the situation themselves and will make a good job out of it. A lesson can be learned from the share-croppers in the South, who are getting somewhere by their persistency."

Other Speakers

Other speakers were:

Ben Davis, Jr., of Atlanta Herndon's lawyer in the Georgia courts; Mrs. Helen L. Duckett, president of the West Philadelphia Women's Civic League; Rose Bush, white, organizer for the Communist party;

Martin Rosenberg, white, chairman of the Philadelphia Herndon Defense Committee, and M. H. Wickman, acting district secretary of the I.L.D., who presided.

The Herndon Hearing

NEXT Tuesday a hearing will be held in Atlanta, Ga., on a writ of habeas corpus to free Angelo Herndon, heroic young Negro labor leader sentenced to 18 to 20 years on the Georgia chain gang for leading a successful relief demonstration of Atlanta Negro and white unemployed workers.

The results of that hearing, as the result of the petitions to Governor Eugene Talmadge for a pardon for Herndon, depend on the extent to which the working class and the entire American people are drawn into the fight for Herndon's freedom.

It is only the organized expression of protest from millions of American people that has so far saved Herndon from being tortured to death on the chain gang. It is only a mighty intensification of this protest that can now wrest him from prison and the chain gang. Governor Talmadge must be flooded with thousands of resolutions from trade unions and other organizations, impressing him with the determination of the American toilers to rescue Herndon from death on the chain gang. Hundreds of thousands of more signatures must be obtained to the petitions demanding Herndon's freedom and abolition of the slave-law under which he was convicted. Money must be forthcoming to make possible the present legal steps and continuation of the mass campaign, and should be sent at once to the International Labor Defense, 80 East 11th Street, New York City.

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The Herndon Case

FEW CASES in American jurisprudence have been of greater importance than the appeal of Angelo Herndon from the ruling of the Supreme Court of Georgia, which is to be argued before the United States Supreme Court on April 12. The Herndon case, merely because of the injustice done to the defendant in a prejudiced and hostile community, would be of great significance. Coming at this time, however, when a flood of anti-radical legislation is pouring across the country, it assumes extraordinary import. The ruling of the Supreme Court will affect more than the fate of an individual. A principle is also on trial: the principle of civil liberty. New Republic

The facts in the Herndon case, briefly, are these. On July 11, 1932, when Herndon went to the federal post office in Atlanta to get his mail from a box, he was arrested. No warrant had been issued for his arrest and, when explanations were required, it was stated that the arrest had been ordered because someone had received a "scurrilous" letter bearing the number of the box that corresponded to the number on the key in Herndon's possession. This letter, it may be noted, was never made part of the trial proceedings and its contents were never made public. No charge of any kind was made against Herndon until eleven days after his arrest. Then, after a writ of habeas corpus was filed, he was indicted for attempting to incite insurrection in the state of Georgia in violation of Section fifty-six of the Georgia Penal Code. 4-10-35

The history of this piece of legislation can only be understood in the light of the history of Georgia and other Southern states. It was passed in 1866, to deal with the dangers arising from the Civil War and carpetbag occupation, but laws similar to it, directed against real or imaginary activities designed to cause rebellion among the slaves, were passed as early as 1804. These laws made any incitement to the insurrection of slaves a felony punishable by death. The penalty for either the delivery or publication of "incendiary" speeches was banishment. New York Times

The evidence introduced against Herndon at the original trial consisted of some verbal testimony and, far more important, various books and pamphlets which stated the position of the Communist Party on certain questions. Some of this material was found on Herndon at the time of his arrest. A search of his living quarters, conducted without a warrant, produced the rest. Among the documents were "The Communist Position on the Negro Question." "An Appeal to Southern Young Workers," "Party Organizer" and "Christianity and Communism." None of these documents, whatever else they contained, advocated forcible resistance to the authority of the state.

The testimony of the state's witnesses sought to establish the fact that Herndon had come to Atlanta to act as a Communist organizer, that he had held two or three meetings, and that he was the author of certain pamphlets which the lower court, during the trial, characterized as "more or less harmless."

On the basis of this evidence, and the books and pamphlets already mentioned, Herndon was found guilty of attempting to incite insurrection, and sentenced, on a recommendation of mercy by the jury, to from eighteen to twenty years in the penitentiary. Herndon, however, suggested to the court the real reason for his arrest and trial; his participation in a relief demonstration held in the middle of June, 1932, in Atlanta. This demonstration, organized by the Unemployed Council of Atlanta, was called after the County Commissioners issued a statement that no person was starving in Atlanta. The Commissioners, although they had previously declared there were no funds available for relief, voted $6,000 for such relief the day after the demonstration.

It is important to note that the trial court, at the conclusion of the evidence, charged the jury, in part, as follows:

> . . . Advocacy, however reprehensible morally, is not sufficient to convict the defendant where there is no evidence to indicate the advocacy would be acted upon immediately. In order to convict the defendant, gentlemen, it must clearly appear by the evidence that immediate serious violence against the state of Georgia was to be expected or advocated.

The evidence was clearly insufficient to sustain a verdict under this construction of the statute; no testimony connected Herndon with any insurrectionary activity, and it is difficult to conceive of a "Red uprising" conducted by the twenty-three Georgians who voted for the Communist candidate for President in 1932. But on appeal the Georgia Supreme Court disregarded the lower court's interpretation and held in effect that any advocacy of sweeping change was criminal, whether or not it was accompanied by incitement to violent opposition against the existing government. So long as the defendant contemplated violence at some undefined and distant future time, the conviction might stand. And, by way of satisfying itself that Herndon did advocate violence, the court observed, in substance, that anyone who proposed equality and independence for the Negro in the South must know that his program would be violently resisted.

The case illustrates, not only what happens when the passions and prejudices of a community are aroused, but the danger of legislation directed against radical activities. The verdict in the Herndon case denies, besides the constitutional rights of freedom of speech and freedom of assembly, the right merely to have in one's possession any material that may be construed by a jury as being of an "inflammatory" or "incendiary" nature. If the verdict is upheld by the Supreme Court, a heavy blow will have been struck at civil liberties. It will establish the principle that *all* radical activity, whatever its complexion, and whether violence is advocated or not, is illegal and punishable by imprisonment. It will also establish the principle that the ownership of any book, pamphlet or any other printed material that advocates social change is proof of one's determination to overthrow the government and can subject one, therefore, to any punishment decreed. It will, in short, block every avenue by which we may hope to reach a better and fuller life, and reduce our status as free and independent Americans to a point somewhere near absolute zero.

If, on the other hand, the Court reverses the verdict, an equally devastating blow will have been struck at the forces of reaction. While the Georgia statute under which Herndon was convicted is not identical with the anti-Red bills that have been passed or are now pending in various states, a precedent will have been established that will be of tremendous aid in the fight against them. It is appropriate to quote, in this connection, part of the opinion handed down by Mr. Justice Brandeis, concurred in by Mr. Justice Holmes, in the case of Whitney v. California:

> Those who won our independence by revolution were not cowards. They did not fear political change. They did not exalt order at the cost of liberty. To courageous, self-reliant men, with confidence in the power of free and fearless reasoning applied through the processes of popular government, no danger flowing from speech can be deemed clear and present . . . Even advocacy of violation, however reprehensible morally, is not a justification for denying free speech where the advocacy falls far short of incitement and there is nothing to indicate that the advocacy would be immediately acted on. The wise and orderly way to avert the evil by the processes of education, the remedy to be applied is more speech . . . Such must be the rule if authority is to be reconciled with freedom. Such is the command of the Constitution.

Nine Old Men Thumbing Law Books Sit in Judgment on Herndon Case

Whitney Seymour Gives Splendid Argument for Reversal

By SASHA SMALL
Editor, the Labor Defender

WITH all the mummery and pomp dear to the hearts of high-school dramatic societies and middle-class lady tourists from Iowa, exactly as the hands of the ornamental clock reached 2:30, the nine old men who are the Supreme Court of the United States filed into their courtroom on Friday afternoon, April 12.

The deep silence in the small courtroom is broken only by the swish of their black robes and they stand before their very large and confortable black leather thrones until Chief Justice Hughes gives the signal to be seated.

On the long desk before them—one long desk for all nine—are piles of legal documents, briefs and many volumes of law books. Almost immediately after he is seated, Hughes announces: "Angelo Herndon versus the State of Georgia," and Whitney North Seymour, retained by the International Labor Defense, rises to begin the oral argument in the appeal for Angelo Herndon's life.

Angelo Herndon himself is seated in the middle of the front row reserved for spectators. No one but attorneys admitted to the bar of the highest court in the land are permitted beyond the sacred confines of the brass rail that hems off the two rows reserved for the "public."

We had a little difficulty about getting him into the court-room. Outside the portals is a uniformed policeman who bars the way. "Line forms to the right for getting into the Supreme Court," he murmurs politely. When asked whether or not anyone could get in without standing on line, he referred me to the marshal's office. The marshal is a pompous individual with a stiff wing collar and a starched shirt.

"Isn't He Colored?"

I told him: "Mr. Angelo Herndon whose case is coming up this afternoon is outside and cannot get into the courtroom because of the long line ahead of him."

"Angelo Herndon? Isn't he colored?"

"Yes," I answered as defiantly as politeness would permit.

"But he's in jail," says the marshal.

"I beg your pardon, he is right outside your door. He has been out of jail, on bail, since last August."

At this point he wrote out a little slip, handed it to another flunkey and we were ushered into the hushed courtroom.

Solicitor General of Georgia Lashes Out at Daily Worker

Whitney North Seymour presented a splendid argument. It lasted for exactly an hour and was packed with telling and convincing reasons for reversing the reactionary decision of the Georgia courts. He was interrupted several times by the various "their Honors." They were following with the greatest interest, turning the pages of the various documents he referred to.

Reactionaries and "Liberals"

The cleavage between the out-and-out reactionaries and the so-called liberals on the bench is sharp and clear. However, none of the reactionaries' baiting confused Seymour and he presented his lucid and impressive case.

Mr. Craw of Georgia lost no time in showing his true colors, in spite of his references to Seymour as his "brother." He very soon began to shout in the traditional Southern lynch-court style of oratory. He waved his documents and rolled out certain words—"Rev-o-lutionary —ad-vo-cacy." He had a little difficulty with some of them, particularly with the "Third Internationalee that sits in Moscow, Russia," and the "working class struggle against the Boo-shwahzee."

Here was the assistant solicitor-general of Georgia, bravely defending those whose interests he serves. Here he was before the Supreme Court, staunchly defending the position of the white landowners of the South on "this self-determination for the Black Belt." After the first slip in which he fumed about how the Communists wanted to "seize the land and give it to the niggers," he very carefully said, "Nigras." But he fought hard to make his point, even though the judges kept interrupting and asking him just what this young man did to prove the charges of inciting to insurrection for which he was sentenced.

Attacks Daily Worker

He was particularly insistent on repeating the fact that Communist literature found in Herndon's possession, carried such slogans as: "Smash the National Guard and the C. M. T. C." Justice Butler, after the third time Craw referred to it, asked, "What is the C. M. T. C.?"

At one point he waved the protostat of the Daily Worker, shouting: "35,000 copies of this thing are circulated throughout our country and on every one of them it calls for self-determination of the Black Belt."

With the able assistance of the reactionaries, Van Devanter, Sutherland and McReynolds, he emphasized the most salient parts of his argument, especially one technicality about one of the legal steps in taking the appeal from the trial court.

Nine Old Men Listen

Nine old men listened carefully to both sides. Nine old men thumbed many volumes of laws and opinions during two and a half hours last Friday afternoon, while Angelo Herndon sat and watched them in the courtroom and millions throughout the world await their decision.

Those who have participated in the nation-wide campaign to free Angelo Herndon on bail, have given their verdict: "ANGELO HERNDON MUST GO FREE!" But these nine old men must be made to hear that verdict sharply and distinctly. It must pour in on their secluded chambers from every corner of the land. Four years of battle in the Scottsboro case, forced them to a decision which is one of the greatest victories in the whole battle for Negro rights. Millions of voices broke through the august silence of the United States Supreme Court. It can be done again. It must be done again. Angelo Herndon must be freed.

The International Labor Defense is intensifying the Scottsboro-Herndon campaign to fight these cases to a victorious conclusion. Twenty thousand dollars must be raised within the next month to continue this vital work. The I. L. D. calls on all its friends and supporters to help achieve our goal — complete freedom for the Scottsboro boys and Angelo Herndon.

ANGELO HERNDON

Herndon Must Be Saved!

BY ITS decision in the Herndon case, the United States Supreme Court stands self-exposed as the champion of lynching, the chain-gang, and the whole drive against the Negro people, which is nowhere marked with more ferocity than in the South.

The ruling of the majority of the court was so crude in its clutching at the broken straw of an uncertain technicality, that the so-called "liberals" on its bench—Cardozo, Stone and Brandeis—were forced to cover up with a dissenting opinion which tears away the whole veil of "impartiality" from the court.

"It is a novel doctrine that a defendant . . . must place a statement on the record that if some other court at some other time shall read the statute differently, there will be a denial of liberties which at the moment are unchallenged and intact," the minority opinion says. In other words the Supreme Court set itself a new precedent in order to uphold the slave-holders of Georgia.

We have no illusions as to this "liberality" whose sole purpose is to cover up in part the realities of barbarous reaction in the court's decision. The dissenting opinion rather points this reality more sharply.

Only the greatest wave of mass protest will force a re-hearing, will force the United States Supreme Court to grant Herndon's freedom.

Let the Supreme Court know, in no uncertain terms, that the people of the United States demand an end to the fascist terror which they protect and endorse by their decision in the Herndon case—that they will not let Angelo Herndon be sent to the chain-gang!

For the legal steps, for the development of the mass campaign, in the Herndon and Scottsboro cases, thousands of dollars will be needed. Send contributions for this defense fund to the International Labor Defense, Room 610, 80 East 11th Street, New York City.

Sentence Of Negro Communist Upheld

WASHINGTON, May 20.—(AP)—A 6-to-3 vote refusal to interfere with a negro communist's jail sentence today capped a crowded hour session of the Supreme Court which left unanswered for at least another week the constitutional objections raised against NRA and the farm moratorium law.

But 10 cases were disposed of in the short meeting and a host of others issued, leaving the court with a well-pruned docket for the two remaining decision days—May 27 and June 3. Before the Summer recess it was scheduled to rule on NRA fundamentals presented in the New York Schecter poultry case and to say whether or not the five-year mortgage moratorium granted farmers in the Frazier-Lemke law is constitutional.

Legal technicalities were cited by the court majority in disclaiming jurisdiction over the conviction of Angelo Herndon, Atlanta, Ga., negro, and the 18-to-20 year sentence imposed for distributing revolutionary literature under a Georgia statute against inciting insurrection enacted in 1866—just after the War Between the States.

It held the question of constitutional protection for Herndon was raised too late in the judicial process to be availing. But a court minority, contending Herndon's case should be heard, asserted other doctrine must be followed "if the great securities of the constitution are not to be lost in a web of procedural entanglements."

In addition, the court opened the way for a possible ruling on the validity of the Bankhead cotton control act by consenting to review a suit brought by Lee Moor, a Texas producer, which was dismissed in lower courts. He sued the Texas and New Orleans Railroad for not accepting cotton without tags specifying that the act had been complied with in its production.

Georgia.

Labor—1935

Unions, Strikes, etc.

Georgia Insurrection Law Declared Invalid In Negro Communist's Case

ATLANTA, Dec. 7.—(AP)—Georgia's insurrection law enacted in 1866 was held unconstitutional today in the case of the negro communist, Angelo Herndon, and the prospect developed for a test of the statute in the U. S. Supreme Court.

Superior Court Judge Hugh M. Dorsey found the law invalid because it was "to vague and indefinite." Herndon was convicted under the statute in 1932 after he had organized 1,000 families, 600 of them white, in an appeal for relief, and his punishment was fixed at 10 to 20 years on the chaingang.

Following today's decision Herndon was released under $8,000 bond which will continue in force for 20 days during which the State may appeal. If the State fails to act, he will go free.

Asst. Solicitor Gen. Ed A. Stephens said an appeal probably would be taken immediately to the State Supreme Court. Defense attorneys have announced their intention of carrying the case to the Supreme Court of the United States if necessary. The State appears equally adamant.

Herndon was jubilant as he packed his grips and left the jail. His bond was provided by the International Labor Defense.

"If I go free, I will return to New York," Herndon said, "while I would like to continue my work among the unemployed of Georgia, I don't think it would be wise to stay in this State."

Communist literature was found in his room at the time of his arrest and he was charged with trying to set up a negro republic in the South.

Judge Dorsey held the insurrection law violated the constitution of the United States and Georgia.

"If this law as here constructed should be held unlawful, it will be quite simple to enact one that will fully and absolutely protect the State," Judge Dorsey said.

"Many states have laws that have been upheld by the Supreme Court of the United States, which give ample protection against doctrines such as Herndon was advocating."

12-8-35

Herndon has been the champion of radicals and liberals throughout the country in recent months. Defended first by the International Labor Defense, his case lately has been handled on a "united front" basis with support of liberals, trade unionists and radicals.

The insurrection law was condemned in a resolution passed by the American Federation of Labor in October in Atlantic City.

12-8-35

Though sentenced to the chaingang, Herndon has never been in shackles. He spent 26 months in jail while his case was being appealed and finally gained freedom on $15,000 bond.

The case was carried to the Supreme Court of the United States last Summer, but that court ruled the constitutional questions had not been properly raised. Herndon returned to jail pending today's action on his appeal to the Fulton (Atlanta) Superior Court.

Herndon Case Becoming Radical 'Cause Celebre'

NEW YORK, Dec. 7.—(AP)—The Angelo Herndon case has assumed the proportion of a cause celebre in recent months among radicals and liberals throughout the country.

Several weeks ago, the young negro communist addressed a mass meeting at the Manhattan Opera House, presided over by Julius Hockman, general manager of the powerful International Ladies Garment Workers Union, at which Norman Thomas, national leader of the Socialist party, was the principal speaker.

While the Herndon defense was originally in the hands of the International Labor Defense, his case in recent weeks has been handled on a "united front" basis with support from liberals, trade unionists and radicals.

The Georgia "insurrection" law, under which Herndon was convicted of seditious activities after organization work among the unemployed, was condemned in a resolution adopted at the Atlantic City convention of the American Federation of Labor in October.

The Herndon case also brought a sharp statement, recently, from Gov. Floyd Olson, of Minnesota.

In the arrangements for a debate with Gov. Eugene Talmadge, of Georgia, it was first suggested three debates be held—one in Minneapolis, one in Atlanta and one in New York.

Olson said he would not go to Georgia because he "might be put on a chaingang with Angelo Herndon."

OLD HERNDON LAW IS RULED ILLEGAL

12-8-35

Judge Dorsey Holds Georgia Sedition Law of 1872 Is Unconstitutional

Georgia's insurrection law, under which Angelo Herndon, negro communist, was convicted of attempting to incite to riot, was held unconstitutional yesterday by Judge Hugh M Dorsey in Fulton superior court.

Herndon, who had been incarcerated in Fulton tower, was released under bond of $8,000 yesterday afternoon.

Judge Dorsey, in ruling on Herndon's habeas corpus petition, declared Georgia's sedition act, passed in 1872, is in conflict with the fourteenth amendment of the constitution of the United States, which guarantees the right of free speech, free assembly and free press.

The Fulton judge held the Georgia law is "too vague and indefinite to provide a sufficiently ascertainable standard of guilt."

He ruled that Herndon's conviction and sentence of from 18 to 20 years are unconstitutional, illegal, void and of no effect.

20 Days for Appeal.

The state was given 20 days in which to file an appeal and Solicitor-General John A. Boykin announced the appeal will be filed.

Herndon's habeas corpus petition was argued before Judge Dorsey several weeks ago by Whitney North Seymour, of New York, former United States assistant solicitor-general, and Elbert P. Tuttle, Atlanta lawyer. The petition was opposed by Assistant Solicitor J. Walter LeCraw for the state. It was directed against Sheriff James I. Lowry. Judge Dorsey withheld his decision until yesterday after hearing the arguments by both sides.

The negro communist was arrested in Atlanta in July of 1932, a week after 1,000 families, 600 of them white, had asked better relief grants. Herndon admitted organizing them. Officers found communistic literature in his possession and in 1933, on the basis of this literature, he was found guilty in Fulton superior court of attempting to incite to riot. Judge Lee Wyatt, of LaGrange, presided at the trial. The negro appealed to the state and United States supreme courts but each upheld the lower court's decision.

Judge Dorsey yesterday remanded Herndon to the custody of Sheriff Lowry for 20 days, if an appeal is filed and until the case is decided by the supreme court if it is carried there by the state.

However, if the state does not appeal the court's decision, Herndon will be freed in 20 days.

Previously Herndon's bond, while the supreme court decision was pending, was set at $15,000 but this amount Judge Dorsey lowered yesterday to $8,000.

Herndon gave himself up following the supreme court action, and though he went to jail in order to furnish grounds for his habeas corpus action, he did not take down his $15,000 bond, which was put up in United States treasury bonds by New Yorkers interested in his case.

Lawyer Tuttle yesterday arranged the new $8,000 bond with the same treasury bonds.

Statement by Judge.

Judge Dorsey issued a statement following his decision and it follows in full:

"If this law as here construed should he held unlawful, it will be quite a simple matter to enact one that will fully and absolutely protect the state against those acts which section 56 of our penal code is designed to punish, and that will meet all our constitutional provisions, federal and state. Many of your states have laws that have been upheld by the Supreme Court of the United States, which give ample protection against doctrines such as Herndon was advocating."

In arguing the petition, Seymour and Tuttle contended that Georgia's ancient law had never been tested by the supreme court and that it was too vague and indefinite to convict and that it is in direct opposition to the principles of the fourteenth amendment.

LeCraw held that the law is specific and just for the protection of the state against the overthrow of its government by force.

He declared Herndon carried literature which advocated the overthrow of the various governments in the south in order to establish a "black belt" communistic nation in which negroes would rule and would confiscate the property of white persons.

National Figure.

Herndon, since his conviction in Georgia, became a national figure in the communist party and while waiting for the supreme court ruling, he lectured at many gatherings in northern and eastern cities.

Yesterday he said he was going to remain in Atlanta with friends for a week or 10 days and then would go to New York.

Subsequently he plans a tour of the west coast to advocate the doctrines of his political party, he said.

Herndon and Minor

Amsterdam News

GOVERNOR OLSON of Minnesota is apparently an interested student of the vicissitudes of color and race. He had cause recently to rebuke Governor Herring of Iowa for an alleged statement that the University of Minnesota's football players might be lynched by an Iowa crowd if they got too rough with the University of Iowa's great Negro star, Oze Simmons. A few days later he turned down a challenge to debate Governor Eugene Talmadge in Macon, Ga.

11-16-35

"They might put me on the chain gang with Alfred (Angelo) Herndon if I got to talking about freedom of speech down there," retorted Olson.

It is the retort flippant and scarcely true. There are ways of getting on, and of getting off, the Georgia chain gang. Governor Olson knows how to stay off and Simon Minor knew how to get off. Angelo Herndon knew how to get on and stay on.

Simon Minor was sent up for eighteen months in 1920 for stealing. He escaped from the gang in Richmond county, Georgia, twice, but was captured and returned each time. The third time, he and twenty-four others shot their way out. Minor remained free until last June, when he was apprehended in Hempstead, Long Island, and returned to Georgia. The good citizens of Hempstead, astonished, represented that Minor had lived a good life during the period of freedom and the governor of Georgia pardoned Minor last week. He will soon return to his friends. He was a symbol of nothing, after his third escape, except good character, industry and clean living.

Minor committed a crime.

Angelo Herndon committed no crime. There is no state in the Union, outside the South, which would imprison a man simply because he led a group of hungry people to the county officials to ask peacefully for food. Even Zack Foster could do that in any state outside the South with no jeopardy to his freedom. But there were the elements of an affront in Herndon's action. He chose to make himself the advocate of and the intercessor for black and white, a challenge to Southern custom. So Georgia dug deeply into the past to find a slip-knot law to put around Herndon's neck.

He has already become a martyr for justice to the working man. The echoes of the injustice already suffered by him reverberate to Moscow, but all to no avail. Georgia stands unmoved in the face of demands, entreaties, protests and slurs. Herndon's cot awaits him in Lanier county.

He doubtless has no regrets. An adolescent is easily comatized during a period of sustained inspiration. The martyr complex is fixed in his mind. Freedom could not cure him of it now. It perhaps would only give him an opportunity to search for another situation.

Although he committed no crime, he will succeed (and this is against our hope) in doing his tour with a Georgia chain gang. Minor committed a crime and has succeeded in escaping his tour. Herndon has had the Socialists, the Communists and liberal groups in America and Europe to help keep him off (or on) the chain gang. He has served their purposes, but to what end (other than the chain gang) have they served him?

There was a better way, but perhaps Herndon himself would have spurned it. As soon as Herndon was caught in the net his parents might have gone to Georgia and done more good than Moscow, the radicals and the newspapers.

"Just let us take this boy home," is all they would have needed to ask, adding a word of regret that he had cut up so.

That would have won Herndon's freedom, but it would not have dramatized the cause of black and white labor.

The Herndon Case

Advertiser

In that bloody era when Georgians were recapturing their government after carpet-bag rule, one of the first acts of the Democratic legislature, after its return to power, was to put on the books what has come to be known as the "insurrection" law. It was designed to give State authorities power to handle former slaves who might, in their new-found freedom, desire to organize themselves and agitate for political or other power. Th law was passed in 1872 in a tense atmosphere. The election of that year was held at the point of shotguns in the hands of white men who were bent upon terrorizing negroes into staying away from the polls. Others, more subtle, got negroes drunk and kept them away.

The law was never designed for anything except to extend the power of the State to deal with carpet baggers and freedmen. It was, in fact, forgotten until 1932, when Angelo Herndon, a communist agitator, went down to Atlanta from New York and organized 1,000 needy families into an association to demand more relief money than they were getting. Police who raided his place found communist literature, and the district attorney revived the forgotten statute and had him indicted by the Grand Jury. A State court convicted him and sentenced him to from 18 to 20 years. The United States Supreme Court refused to review the case because of the absence of a constitutional question. Attorneys for Herndon succeeded last week in getting it before Judge Hugh M. Dorsey, former governor of the State. Judge Dorsey Saturday ruled the law unconstitutional on the ground that it transcended the Fourteenth Amendment, guaranteeing free press and free speech, and on the further ground that it was "too vague and indefinite."

Although he rode to the governorship on the strength of his prosecution of Leo M. Frank, a prosecution surcharged with prejudice, Mr. Dorsey as governor and now as judge has vindicated the liberality of his views. As Governor he ripped into the Ku Klux Klan with a vigor no less apparent than that of Thomas W. Hardwick, who committed political suicide when he demanded that the Klan unmask. Judge Dorsey's decision is thoroughly in accord with the doctrine of Mr. Justice Holmes, who held, in effect, in the Schwimmer case that the more hateful the view of another person might be, the more essential was the preservation of his right to utter it.

We have no sympathy with Herndon or his communist activities, but his conviction under such a statute was a monstrous distortion of justice and manifestly, as Judge Dorsey held, a complete abridgement of the guarantee of free speech. If we choose to apply such a far-fetched piece of legislation to communists, nobody with political views in opposition to those of the party in power is safe.—Richmond Times-Dispatch.

WASHINGTON, D. C.
NEWS Post

DEC 9 1935

Carpetbaggers' Memento.

Without regard for the particulars of the case involved, there should be satisfaction in Georgia over the fact that the State's antisedition statute has been ruled unconstitutional. That the decision was provoked by an appeal from Angelo Herndon, a Negro communist, is incidental to the elimination of a law significant chiefly as a vestige of the days Claude Bowers has so aptly described as the "Tragic Era."

The antisedition statute was enacted in 1866, the product of the carpetbaggers' machinations. In effect it was a subtle device to prevent native whites from obstructing the program of the benighted reconstructionists. Subtleties, however, were quite unnecessary for, in the words of Mr Bowers, the legislature over which the notorious Rufus Bullock cracked his whip "was a cross between a gambling den and a colored camp meeting."

Open-faced corruption was the order of the day in Atlanta. The capital lacked a hotel; a semiofficial financial adviser to the Commonwealth undertook to build one using State bonds for money and omitting to make any report of the financing method. Railroads were the special delight of the marauders. In the case of one road which had regularly netted the State a monthly income of $25,000 before the war, a report for 1866 showed it mired in debt to the extent of three-quarters of a million dollars.

In the end, of course, Georgia won back its right to law and order, but not before it had been put under military rule and not without the fighting service of Benjamin Hill and other native Georgians. It was in such a period that the State's antisedition law was passed. Now it has been found irregular, which is not surprising. Georgia might well accept the verdict without appeal, for if it still finds the Federal antisedition statutes inadequate, it can move to pass an effective and proper law of its own, as many of its neighbors have already done.

Georgia Superior Court Frees Herndon

ON December 7 Judge Hugh M. Dorsey, of the Fulton county superior court of Georgia, held unconstitutional that state's anti-sedition law of 1866. By the decision, Judge Dorsey set free Angelo Herndon, Negro radical recently sentenced to serve from eighteen to twenty years under the provisions of that law. The state immediately served notice that it would appeal Judge Dorsey's decision, but Herndon is now at liberty on bail. Judge Dorsey held the 1866 law—which was passed to deal with Negro uprisings that were feared following the civil war—unconstitutionally in conflict with the fourteenth amendment "in that it is too vague and too indefinite to provide a sufficiently ascertainable standard of guilt." If the state of Georgia, the judge intimated, wants to enact a criminal syndicalist law which will be constitutional, other states have shown how to do so. (Alas, too true!) But the law under which Herndon was convicted is not such a law, and a sentence obtained under it must therefore be "unconstitutional, illegal, void and of no effect."

All this is to the good, and adds to the hope, previously expressed in these pages, that the south's own justice will vindicate itself in the Herndon case. Nevertheless the announcement that the state will probably appeal from Judge Dorsey's decision shows that there is still need to scatter information about the case and its implications about the country. The essential point to be kept in mind is that Herndon is not so much as accused of having hurt anybody, or having caused any overt trouble. His offending consisted only in having organized persons on relief, both white and colored, to protest peacefully against shortcomings in relief distribution at Atlanta—shortcomings which were corrected after the demonstration. The real cause for Herndon's conviction was an attempt by Georgia authorities to employ an archaic and barbarous, as well as forgotten, law to protect their state against a radical movement in which the racial issue might become involved. But the only reliable protection against that sort of danger lies in the granting of justice, not injustice.

CROSS BILL FILED IN HERNDON CASE

All Contentions in Petition Should Have Been Sustained, Is Claim

A cross bill of exceptions holding that the court erred in not sustaining all of the contentions in the Angelo Herndon habeas corpus petition was filed yesterday in Fulton superior court by Herndon's attorneys.

Herndon, a negro communist, was freed December 7 when Judge Hugh M. Dorsey ruled that the Georgia antisedition law under which he was convicted was unconstitutional on the grounds it was too vague and indefinite to establish an absolute standard of guilt.

The negro is under $8,000 bond pending hearing on the case by the supreme court of Georgia on an appeal filed last week by Assistant Solicitor J. Walter LeCraw for the state.

The cross bill to LeCraw's bill of exceptions contended that the law under which Herndon was found guilty of attempting to incite to riot is in conflict with the Georgia statute which sets forth that "no person shall be deprived of life, liberty or property except by due process of law," and with the Georgia laws which provide that no law shall be passed to curtail liberty of speech and press, or to prevent free assemblage.

The negro's attorneys are Whitney North Seymour, of New York, former assistant solicitor-general of the United States, and the Atlanta firm of Sutherland, Tuttle & Brennan.

STATE FILES APPEAL IN HERNDON DECISION

The Angelo Herndon case again was carried to the Georgia supreme court yesterday when Assistant Solicitor J. Walter LeCraw filed a bill of exceptions to Judge Hugh M. Dorsey's ruling that the anti-insurrection law under which Herndon was convicted is unconstitutional.

LeCraw appealed Judge Dorsey's decision on the grounds that the court erred in holding Georgia's ancient sedition law unconstitutional and "too vague and indefinite." He also contended that the court erred in admitting the evidence of the Herndon case in the habeas corpus hearing, because he held, the hearing was only on a point of law.

Herndon, negro communist, was convicted and given a sentence of 18 to 20 years, the lightest possible under Georgia's law against inciting to riot. The negro is free under $8,000 bond and is in New York, it was said.

Labor—1935.
Unions, Strikes, etc.

Georgia

Minnesota Governor Refuses To Debate In Georgia; Says He Is Afraid of Chain Gang

Governor Olson Says He will Defend His View Against Georgia Governor Anywhere Outside of The State "Georgia"

ATLANTA, Ga., Nov. 22—(By Staff Correspondent for ANP)—Not since Burns' book "I am a Fugitive From A Chain Gang" was published has there been such a turmoil in Georgia, that is "White Georgia" than that created by the refusal of Governor Floyd Olson of Minnesota to debate with Governor Talmadge of this state on the "Constitution of the Nnited States" at Macon, Ga. Governor Olson gave as his reason the fear that he might be placed on the chain gang with Angelo Herndon for freedom of speech.

Governor Olson challenged Governor Talmadge to the debate, while the place was designated as Macon, Ga., but the Minnesota governor demurred, declaring, that:

"I would welcome the opportunity to debate the subject with the governor of Georgia, but in some other state, such a neutral state as New York. I would be obliged to comment on the denial of free speech in Georgia and I might find myself on the Georgia chain gang with Angelo Herdndon, the Cincinnati Negro, who was sentenced to from 18 to 20 years on the chain gang for distributing Communistic literature. While not a Communist, I do believe in freedom of the press and of speech."

GEORGIA GOVERNOR WOULD KEEP HIM OUT OF PRISON

When Governor Talmadge was apprised of the Minnesota executive's attitude toward the place of the debate, he stated that "while having not been notified officially of Governor. Olson's refusal, if the reports be true as to his reason for refusing to debate in Macon are true, I can assure him that he will not be sent to the chain gang no matter what he says. And I might add that I have the power to keep him from being sent there."

The governor of Georgia did not take the matter seriously, according to reports but expressed the opinion that the Minnesota governor was just 'dodging the issue." Others in power in the state of Georgia did not take the same stand. They were offended in a great way, especially when the governor of Minnesota said he might be placed on the chain gang with Angelo Herndon, a Negro, and even on the chain gang "separate accommodations" are provided for white prisoners even unto the stocks used for punishment.

TELEGRAM SENT OLSON

One of those taking exception to Governor Olson's stand was A. L. Henson, state service officer of the American Legion, who sent the following telegram to Governor Olson to clarify the Herndon case, while Herndon was awaiting for his attorneys to effect a plea for his liberation in jail here:

"Angelo Herndon was not arrested for distributing Communist literature, but for inciting a group of Georgia's population to armed insurrection and seizure of a major portion of five Southern states for the establishment of a Soviet republic independent of the United States.

"He possessed and presented a written contract of the Communist party, along with plans of attack on the native population and seizure of lands and property and maps defining the territory to be conquered.

"It is not a violation of Georgia law to distribute Communist literature and freedom of speech is as safe here as in any state."

NEWSPAPERS JOIN IN BATTLE

Taking up the cudgel in behalf of the State of Georgia, several daily papers, white, attacked Governor Olson for his "temerity" and branded him as a radical that endangered the very foundation and traditions upon which this country is founded. Among the publications taking such a stand was the Macon Telegraph, that editorially declared:

"The mental attitude of Governor Floyd Olson of Minnesota, is clearly revealed in his sarcastic statement that if he came to Georgia for a joint debate with Governor Talmadge he might be arrested and put on the chain gang with Angelo Herndon. From his attitude towards the Herndon case we may easily grasp what is Olson's attitude towards the Constitution of the United States, so Governor Talmadge should have no difficulty in refuting the proposition Olson wishes to debate.

"Such men as Olson ignore the fact that our system of government was deliberately designated to prevent the tyranny of the majority of any given time and that changes in the Constitution should not be made until the people themselves after 'cooling time' had intervened saw fit to change it."

"WHY I WAS ARRESTED"

The article below was the last written by Angelo Herndon before he returned to Georgia to surrender himself, on Oct. 28, to begin serving his sentence of 18 to 20 years on the Georgia chain-gang. It tells for the first time the full story of the demonstration of Atlanta's unemployed which was followed by his arrest and conviction under the 1861 slave insurrection statute.

By ANGELO HERNDON

Thursday, June 30, 1932, is one day of my life that I can never forget. That day the first great joint demonstration of white and Negro workers in Georgia, in more years than almost anyone could remember.

That day was the start of the Herndon "insurrection case." So many people have asked me: "How did it all begin?" That I want to tell, here and now, the story of that demonstration. Here are the facts, and they prove that the sentence of 18 to 20 years on the chain-gang, which the Georgia courts have handed down and the Supreme court upheld, was given for one reason only—that I dared to ask for bread for starving people.

When the relief stations in Atlanta closed down in the middle of June, 1932, twenty-two thousand men and women were brought face to face with starvation. Not poverty such as they had always known even when they were at work. Not the hunger they experienced on the half-rations and quarter-rations doled out by the relief stations. But, quite simply and literally, starvation and eventual death.

Community Chest Had Money

Why were these workers being thrown off relief, people asked? They remembered that only a few weeks before that, the Community Chest of Atlanta had closed its drive for funds, with the announcement that it had collected $800,000. The question was put most sharply by the workers organized in the Unemployment Councils, which were meeting, in groups of five or six, in private homes, behind drawn shades.

After the relief stations closed, the Commissioners of Fulton county, of which Atlanta is the seat, met to consider the situation. Some of the commissioners were in favor of piling more taxes on the

workers and small home-owners. But Frank Neely, the executive director of the Community Chest, had another idea. He pointed out that hundreds of farms in the state had been taken over for taxes—which was quite true—and were not lying idle. He proposed that the city and county authorities round up all the "idle" in the city, and ship them, with their families, to those farms, to work for their board. Neely said: "A little elbow brease won't hurt them."

When the workers of Atlanta heard about this proposal, they were sore. They knew a couple of things that hadn't been discussed in the County Commission. One was that the farms had been abandoned because the farmers, even with an experience gained over many years, even with the small fund of tools and work animals they had been able to accumulate, hadn't been able to make a goo of farming. They had failed, first and foremost because hungry and ragged people had no money to buy the food and cotton that the farms could raise. And here the county commissioners were planning to send workers who had no knowledge of farming, no tools, no work animals, no seed, and dump them on these worn-out farms!

"I Can't See Any Starvation!"

The workers knew, also, that Frank Neely drew $6500 a year on his job, and maybe more on the side.

One of the commissioners, Mr. Hendrix, said that there were no starving families in Atlanta, or if there were, he hadn't seen any. Well, he probably hadn't at that. The unemployed of Atlanta had too much "manners" to walk up and down Peachtree street and spoil the good times of the well-to-do people popping in and out of its beautiful stores and theaters and restaurants. The Atlanta jobless were standing in line at the relief stations, or huddling over fires made from their last bit of coal. They were polite enough to starve out of sight, in places where Mr. Hendrix never came.

Walter S. McNeal, another one of the commissioners, was enthusiastic about Mr. Neely's idea of having the police round up the "idle" and ship them back to the farms. The word "idle" was no doubt a slip of the tongue. Mr. McNeal and Mr. Neely didn't mean the "idle" wives of the bankers sitting in on bridge games; nor the "idle" sons of the big factory owners playing about on the golf courses. He just meant people who were "idle" because all the factories in Atlanta had turned them away.

"Insurrectionary Literature"

The Unemployment Council got up a leaflet—which was later given the name of "insurrectionary literature," and presented to the grand jury as one of the reasons why I should serve 18 to 20 years on the chain-gang. Here is the leaflet:

"Workers of Atlanta!

"Employed and Unemployed Negro and White. Attention!

"Men and Women of Atlanta:

"Thousands of us, together with our families, are at this minute facing starvation and misery and are about to be thrown out of our houses because the miserable charity handout that some of us were getting has been stopped! Hundreds of thousands of dollars has been collected from the workers in this city for relief for the unemployed, and most of it has been squandered in high salaries for the heads of these relief agencies.

"Mr. T. K. Glenn, president of the Community Chest, it reported to be getting a salary of $10,000 a yearMr. Frank Neely, executive director of the Community Chest, told the County Commission Saturday that he gets $6500 a year while at the same time no worker, no matter how big his family, gets more than two dollars and a half weekly to live on. If we count the salaries paid the secretaries and the investigators working in the 38 relief stations in this city, it should not surprise us that the money for relief was used up and there is no more left to keep us from starvation. If we allow ourselves to starve while these fakers grow fat off our misery, it will be our own fault!

"The bosses want us to starve peacefully and by this method save the money they had accumulated off of our sweat and blood. We must force them to continue our relief and give more help. We must not allow them to stall us any longer with fake promises. The city and county authorities from the money they have already collected from us in taxes, and by taxing the incomes of the bankers and other rich capitalists, can take care of every unemployed family in Atlanta. We must make them do it.

"At a meeting of the county commissioners last Saturday, it was proposed by Walter S. McNeal Jr., to have the police round up all unemployed workers and their families and ship them back to the farms and make them work for ust board and no wages, while just a few months ago these hypocrites were talking about forced labor in Soviet Russia, a country where there is no starvation and where the workers rule! Are we going to let them force us into slavery?

"At this meeting, Mr. Hendrix said that there were no starving families in Atlanta, that if there is he has not seen any. Let's all of us, white and Negroes, together, with our women folk and children, go to his office in the county courthouse on Pryor and Hunter streets Thursday morning at 10 o'clock and show this faker that there is plenty of suffering in the city of Atlanta and demand that he give us immediate relief! Organize and fight for unemployment insurance at the expense of the government and the bosses! Demand immediate payment of the bonus to the ex-service men. Don't forget Thursday morning at the County Courthouse.

"Issued by the Unemployment Committee of Atlanta, P. O. Box 339."

Cops Get a Shock

The call was for June 30, and on that morning the Atlanta cops got the surprise of their life. One thousand white and Negro men, women and children gathered in front of the county courthouse and walked up to the fourth floor and demanded to see the commissioners. The workers showed a new spirit that day. When one of the cops approached a worker and said, "We are going to ship you all back to the farm to work for your keep," the worker answered, "I know two who aren't going." The cop wanted to know who they were, and this is the answer he got: "Me, and you if you come after me." The cop backed off and said he was only fooling.

The next day the county commission voted $6,000 additional relief for the jobless. And eleven days after that—during which the police were keeping a sharp eye on Box 339 at the post-office—I was arrested as I went there to get my mail.

That was how the "insurrection" case started—because we were hungry.

...hers, Ga., Banner-Herald
December 11, 1935

A NEW INSURRECTION LAW

Last week, Judge Hugh M. Dorsey, of the Superior Court of Fulton county, held that the insurrection law enacted in 1866, by a Georgia legislature, to be unconstitutional. The decision was based on the case of Angelo Herndon, a Cincinnati negro Communist. This case has been in the courts for the past three years, being appealed and dickered with from all angles of the law. The negro was backed financially by the International Labor Defense, Communists and Socialistic organizations.

In rendering his decision, Judge Dorsey, said in part: "If this law as construed be held unlawful, it will be quite a simple matter to enact one that will fully and absolutely protect the state against those acts which section 56 of our penal code is designed to punish and that will meet all constitutional provisions, federal and state.

"Many of our states have laws that have been upheld by the Supreme Court of the United States which give ample protection against doctrines such as Herndon was advocating."

Herndon, admittedly a Communist, was found in possession of loads of Communistic literature. His aims and purposes were to organize and create an empire ranging from Virginia to Texas to be known as the "black belt." He was arrested on the streets of Atlanta where he was holding meetings of an insurrectionary character and advocating Communistic doctrines. He was placed under arrest, tried in the courts, found guilty and sentenced to serve a term of 18 to 20 years in prison.

If the decision of Judge Dorsey is upheld and this negro freed from the charge on "insurrection" activities, then, at the next session of the Georgia legislature, a bill should be introduced, enacting a law with teeth in it that would cover fully all such cases on which Herndon was tried. The cause of Communism is spreading over the southland, especially is it gaining strength in Georgia. Our people have not taken the innovation of this doctrine seriously, but they have dismissed it with a slight gesture of unimportance. However, the time has arrived when the representatives of the Communist party are making inroads in our schools and colleges and unless drastic action is taken by the officials of our educational institutions, uprisings and insurrections are bound to occur. In all institutions, surveys should be made of the membership of the student bodies in order that emmisaries of the Moscow government may be driven from their posts and associations with the young men and women who are seeking an education and not the teachings of disloyalty to their country.

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The Herndon Case

SOME time this month the US Supreme Court will again consider whether it has jurisdiction over the case of Angelo Herndon, young Negro Communist organizer, sentenced to twenty years on a Georgia chain gang under a statute inactive since 1868. Three years ago Herndon was a leader in a peaceful demonstration by more than a thousand Negro and white unemployed in Atlanta. He was arrested charged with "inciting to insurrection" under a law passed in 1833 to prevent slave insurrection and amended in 1866 to keep freedmen in subjection. One method of "inciting" under this law is for "any person" to "bring, introduce, print or circulate . . . within the state . . . any paper, pamphlet, circular or any writing for the purpose of exciting insurrection . . ." Communist literature, found in Herndon's room was submitted at the trial as evidence of such "incitement." The law carries the death penalty, but the jury recommended "mercy" and fixed Herndon's sentence at eighteen to twenty years on the chain gang. The state supreme court affirmed the judgment of conviction.

In May the US Supreme Court dismissed an appeal for want of jurisdiction. Justice Cardozo wrote a vigorous dissenting opinion, in which Justices Brandeis and Stone concurred. It is this dismissal, reopened on new grounds, which the Supreme Court will shortly review. Meanwhile, after more than two years in prison, Herndon is free on bail raised by those who see in his case a threat to civil liberties. Other cases now pending will be pressed if the Herndon conviction stands. A dozen or more persons have now been arrested under the ancient law, including a minister, an instructor in Emory University, several Communists, Socialists and labor leaders. Raids have been made in search of "insurrectionary literature" on Urban League offices, the YMCA and private homes. Clearly the old slave law will be a ready weapon to attack liberal effort, whatever its field—labor, race relations, education, government—if the Herndon conviction is upheld.

Speed Herndon Drive, Is Plea of Thomas

His Cause Is Our Cause, Says Socialist Leader, Asking That Signature Lists to Gov. Talmadge Be Collected as High Court Hearing Nears

"There is no justice in Georgia, and not much in America, if Angelo Herndon is to be compelled to serve twenty years in the hell of a Georgia chain gang."

This was the statement made in New York yesterday by Norman Thomas, member of the National Executive Committee of the Socialist Party, in appealing for greater speed in gathering signatures to the petition to Governor Eugene Talmadge of Georgia, to free Herndon from his 20-year chain-gang sentence.

To date, only 325,000 signatures have been collected. The goal is two million, and with the re-convening of the Supreme Court on Oct. 7, the final disposition of the Herndon case is very close.

The appeal of Norman Thomas follows in full:

"It is of the utmost importance that Americans by the millions should sign the petition to Governor Talmadge of George for the pardon of Angelo Herndon. Mr. Herndon was convicted under an old and barbarous slave insurrection law in Georgia. He was guilty of absolutely nothing except that he tried to organize colored and white workers, who were unemployed, in order to get better relief conditions. He made no speech, he led no riot, and the justice of the demands for the unemployed was later recognized by improvements in relief. Mr. Herndon's real offense was that he was Negro and a Communist or Communist sympathizer and therefore easy prey for a notoriety-seeking county prosecutor.

"There is no justice in Georgia, and not much in America, if he is to be compelled to serve 20 years in the hell of a Georgia chain-gang. This is his prison sentence. He must be pardoned for the honor of America. It is of peculiar interest that workers should rally in his defense. His cause is our cause."

YOUNG NEGRO MUST GIVE UP IN TEN DAYS

Petition Drive, Further Steps Are Pressed By Defense Body

WASHINGTON, D. C., Oct. 14.—The United States Supreme Court today refused to re-hear the appeal of Angelo Herndon.

This decision means that within ten days Herndon, young Negro working class leader, now out on $15,000 cash bond, must surrender in Fulton County (Atlanta), Georgia, to begin serving a sentence of eighteen to twenty years on the dreaded Georgia chain-gang. He was given this virtual death sentence by the Georgia courts under slavery days state "insurrection law" of 1861, for organizing white and Negro unemployed to win relief.

The International Labor Defense, which is conducting Herndon's defense, today issued a call to all friends of the Herndon Defense to rush the collection and turning in of signatures, addressed to Governor Eugene Talmadge of Georgia, demanding Herndon's freedom.

Two million signatures must be received by the National Herndon Petition Committee, Room 610, 80 East 11th Street, New York City within the next eight days, Anna Damon, acting national secretary of the I.L.D., said.

At the same time Miss Damon called for speedy collection of funds to support further legal steps which will be taken, and to carry on the campaign to keep Herndon off the chain-gang.

The decision of the United States Supreme Court was made on an application for re-hearing of the case filed by Whitney North Seymour, retained for Herndon's defense by the I.L.D., after the previous decision of the court which refused to review the case, in a six to three decision, on technical grounds. The application for re-hearing cited authorities to show that these technical considerations, so flimsy that three of the members of the court refused to concur were without foundation.

The application and brief were supported by a brief amicus curiae (friend of the court) filed by the National Association for Advancement of Colored People, the National Bar Association, the American Civil Liberties Union, the Church League for Industrial Democracy, the Methodist Federation for Social Service, the Justice Commission of the Central Conference of American Rabbis, and a number of noted churchmen.

Norman Thomas, Socialist Party leader, and a number of Congressmen and state and city officials all over the country, have come out in support of Herndon's cause, and of the campaign to obtain signatures to Talmadge demanding his freedom. Sixteen national organizations, including the Socialist and Communist Parties, the Young People's Socialist League, Young Communist League and many others are behind the campaign.

A conference to map out concrete actions for Herndon's freedom, called by the Joint Committee to Aid Herndon Defense, will be held Saturday, Oct. 19, at Imperial Auditorium, 160 West 129th Street, New York City. All trade unions and other organizations have been invited to send delegates to this conference. The committee is composed of the General Defense Committee (I. W.W.), International Labor Defense, League for Industrial Democracy, League of Struggle for Negro Rights, National Committee for Defense of Political Prisoners, and Non-Partisan Labor Defense.

Herndon Can Still Be Saved from Chain Gang! Action Is Needed!

By ANNA DAMON

(Acting National Secretary, International Labor Defense)

Against one of the bravest, finest and most beloved workers in the United States—young Angelo Herndon—the highest court in the land has pronounced a sentence equivalent to the sentence of death.

The nine old men of the Supreme Court have spoken. They have decreed that Angelo Herndon, Negro youth, leader of starving Atlanta workers, must surrender himself on Oct. 24 to the lynchers of Georgia, who will clamp steel about his feet and drive him, shackled, to the Georgia roads. For 18 to 20 years, Herndon is doomed, by this decision of the Supreme Court, to endure the horrors and tortures of the chain-gang, whose overseers rival in brutality the worst fiends of the Spanish Inquisition. Let there be no mistake: this is not a sentence of years; it is a sentence of sure and certain death.

Has the Supreme Court spoken the last word in the case of Angelo Herndon? Will Herndon be tossed to the Georgia lynchers? No, the Supreme Court has not said the last word. That word belongs to the toilers of America, to the Negro and white millions in factory and farm, to the friends of the working class and the Negro people.

The Words of Douglass

Today, with the shadow of the chain-gang looming sharp and clear, we may well recall the words of Frederick Douglass, one of the greatest leaders of the Negro people. When the Supreme Court of another day handed down its infamous Dred

Scott decision, throwing the weight of law to the side of slavery, Douglass said: "We can appeal from this hell-black decision of the Supreme Court, to the court of common sense and humanity. You may close the ear of the Supreme Court to the black man's cry for justice, but you cannot, thank God, close against him the ear of a sympathizing world."

What can we, the people of America, do to save Herndon? How can we save him, at this eleventh hour, from the Georgia lynchers?

Governor Talmadge of Georgia now has it in his power to pardon Angelo Herndon. He has the legal right to exercise that power, at once, without an hour's delay, without waiting for the day when Herndon is to surrender to the Georgia authorities. To the many prominent people who have appealed to Governor Talmadge on Herndon's behalf, Talmadge has written that he will have the power to act when the case has left the hands of the Supreme Court.

Pressure on Talmadge

But if Governor Talmadge is now to be induced to exercise that power, he must be pressed and harassed unceasingly by the demands of millions. And there is a channel through which this pressure can be brought. There is in circulation a petition to the governor, asking Herndon's release. He must also be flooded with wires demanding that Herndon be set free.

Already half a million people—in 17 states of the Union, in nine foreign lands—have signed this petition. Our goal is two million names. The petition should speak to the highest official in Georgia in the name of two million people, crying: "Angelo Herndon must go free!"

I appeal to the members of the I.L.D., and to every friend of labor and of the Negro people, to lay aside everything else, and to work to the end of gaining two million signatures for these petitions by Oct. 24. Obtain the petitions at once; if they are not immediately available, write your own petition to Governor Talmadge and gather signatures to that.

Appeal to Workers

To the workers we appeal: take the petitions to the factories, to the unions, to fraternal organizations; go with them from house to house; explain to the people the danger that threatens us all if Angelo Herndon goes to the chain-gang of Georgia.

To the small business man we appeal: hang these petitions in your shop; talk the issue over with those who come to your place of business; get their signatures to the petition for the freedom of Angelo Herndon.

To the housewives we appeal: go to the market places, to the shops, and secure signatures for the freedom of Angelo Herndon.

We appeal to every person, white or black, who loves justice and hates cruelty and autocracy: go out on the streets, in the houses, in the churches, schools, clubs, wherever people gather, and secure the signatures of all persons to the petition for Angelo Herndon.

I.L.D. Branches Called

To the branches of the I.L.D. we make a special plea: organize all your forces at once for a great drive to reach the goal of two million signatures for the freedom of Angelo Herndon.

And as quickly as the signatures are secured, rush them to the office of the Angelo Herndon Petition Committee, 80 East 11th Street, New York, so that they may be laid before the governor of Georgia.

Eight days in which to work, and only one quarter of our goal achieved! But if every member and friend of the International Labor Defense and of Angelo Herndon acts, if each secures but fifty signatures, we can still reach—and overreach—our goal.

Former Victory

The task of snatching Herndon from the chain-gang is now a race against time. Once before we raced with time and the Georgia lynchers for the life and freedom of Angelo Herndon—and won. When last August, Herndon was slated for the chain-gang, and the officials of the state of Georgia, thinking to make sport of the labor movement, set bail of $15,000 in cash, that bail was subscribed and oversubscribed, in 23 short days. And on the very day when Herndon was slated to go to the chain-gang, he stepped out of Fulton Tower Prison, for the time at least a free man.

The victory achieved by the working class movement last year is the token of our strength. We can again snatch Herndon from the waiting chain-gang. But the time is short, the odds are very great. Today Angelo Herndon may well repeat the cry of Sacco and Vanzetti in the death-house in Boston: **"Unless a million men can be mobilized in our defense, we are lost!"**

The task can be accomplished, the victory can be won—but there is not a moment to be wasted.

Legal Steps Not Exhausted

The legal steps to win Herndon's freedom have not been exhausted. The I.L.D. is now taking last-minute legal action to snatch Herndon from the chain-gang. But the procedure is costly. And so once more we turn to our friends everywhere, and ask them to rush money to the Herndon Defense Fund, 80 East 11th Street, New York City, to make these actions possible.

To the governor of Georgia, at Atlanta, every friend of freedom should send a telegram or a special delivery letter, asking that he exercise his power to free Angelo Herndon.

Already, in the fight for Herndon, barriers of race, religion and political belief have been swept aside. Democrats and Republicans, Socialist and Communists, Negro and white, Jew and Gentile and atheist, have united in common struggle in face of a common danger. For if Herndon goes to the chain-gang, then the most fundamental rights of the American people—the rights to organize, to assemble, to petition for redress of grievances—will have been dealt a terrible blow by the forces of reaction. The streams of protest must, in the case of Herndon, be poured into one mighty flood that will sweep away the menace of this chain-gang sentence and the sure death which it involves.

Seldom before has the need for action been so pressing; seldom has the time been so short. The few days days left before Oct. 24 are crucial. At such a time as this, let no one stand aside!

Press Fight for Herndon

WHEN you read this editorial, the fangs of the murderous chain gang system of Georgia may already have closed over Angelo Herndon. The heroic young Negro labor organizer may already have begun service of a virtual death sentence of 18 to 20 years on the chain gang for the "crime" of organizing Negro and white unemployed workers together in a successful struggle for relief.

The courts of Georgia and the Supreme Court of the United States have consigned this hero of the Negro people and the working class to a living death. But the working class and the Negro people are determined that the courts shall not have the last word on Herndon. The protests now swelling up from labor and liberal groups and Negro organizations throughout the country must continue to grow, must rise in a roar of thunder that even the hide-bound Georgia ruling class will be forced to heed.

The campaign initiated by the International Labor Defense for 2,000,000 signatures to the petition to Governor Talmadge of Georgia for Herndon's pardon must be pushed with redoubled energy. Funds must be rushed to the I. L. D., 80 East 11th St., New York City, to finance the fight for Herndon's freedom. Telegrams and resolutions must be poured in on Gov. Eugene Talmadge, Atlanta, Ga.

Angelo Herndon must be freed! The "slave insurrection law" under which he was convicted must be repealed!

Herndon in Atlanta, Asks Writ for Release

Order Issued to Keep Negro Hero in Fulton County Until Hearing on Habeas Corpus Set for Nov. 12

(By United Press)

ATLANTA, Oct. 28. — Angelo Herndon, Negro, whose conviction here in 1933 on a charge of "inciting to insurrection" was affirmed last week by the U. S. Supreme Court, applied in court through counsel today for a writ of habeas corpus for his release from county jail.

ATLANTA, Ga., Oct. 28.—Angelo Herndon, young Negro hero, sentenced to 20 years on the Georgia chain gang, surrendered himself this afternoon to prison authorities at the Fulton Tower, the prison of Fulton County.

At the same time, an order was issued to prison authorities in Superior Court to show cause why a writ of habeas corpus should not issue granting Herndon his freedom. This order was based on the contention that the constitutionality of the statute under which he had been sentenced, has never been tested.

A further order was issued in Superior Court to the prison authorities, ordering them to keep Herndon in this county until the hearing on the above proceedings, set for Nov. 12.

This means that the young Negro will not be compelled to go on the chain gang, at least until after that date.

These steps were initiated by W. A. Sutherland, Atlanta attorney, who is retained for this particular action by Whitney North Seymour, attorney retained by the International Labor Defense.

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Fight for Herndon at Youth Day Rallies

THE United States Supreme Court, oracle of reaction, has again spoken. This time its words have upheld a living death for Angelo Herndon, heroic 20-year-old Negro youth who was sentenced to twenty years on the chain gang by a Georgia court for daring to organize Negro and white side by side.

Herndon is a living symbol of the struggle of the toiling youth against fascist reaction. Herndon is a living embodiment of the struggle for the unity of Negro and white toilers. Herndon is a living expression of the struggle for Negro liberation.

The May 30th United Youth Day demonstrations against imperialist war and fascism must raise high the slogan of "Free Angelo Herndon!" as a mighty step in the struggle against growing reaction in this country.

Pilate Washes His Hands

ANGELO HERNDON, young Communist, must serve 18 to 20 years in prison in Georgia under an old slave insurrection law because he urged the jobless to organize. The United States Supreme Court has said so.

And when they had bound Him they led Him away and delivered Him to Pontius Pilate, the governor.

The Georgia authorities held that Herndon was inciting action against the state. He advocated abolition of the land ownership system with its peonage and jim-crowism

Then Pilate said unto Him: Hearest Thou not how many things they witness against Thee?

The Supreme Court did not go into the merits of the case, holding that Herndon's lawyers were tardy in maintaining that his constitutional rights had been abridged.

Pilate . . . took water, and washed his hands before the multitude, saying, I am innocent of the blood of this just person.

The Commonwealth of Georgia is now authorized to put Herndon in a dungeon or work and abuse him until he dies on the chain gang.

. . . and when he had scourged Jesus he delivered Him to be crucified.

ANGELO HERNDON DENIED NEW TRIAL

Constitutional Objections to NRA, Farm Moratorium Law, Not Ruled on by Court

WASHINGTON, May 20. (AP)—A six-to-three vote refusal to interfere with a Negro communist's jail sentence today capped a crowded hour session of the supreme court which left unanswered for at least another week the constitutional objections raised against NRA and the farm moratorium law.

But 10 cases were disposed of in the short meeting and a host of orders issued, leaving the court with a well-pruned docket for the two remaining decision days—May 27 and June 3. Before the summer recess it was scheduled to rule on NRA fundamentals presented in the New York Schechter poultry case and to say whether or not the five-year mortgage moratorium granted farmers in the Frazier-Lemke law is constitutional.

Legal technicalities were cited by the court majority in disclaiming jurisdiction over the conviction of Angelo Herndon, Atlanta, Ga., Negro, and the 18-to-20 year sentence imposed for distributing revolutionary literature under a Georgia statute against inciting insurrection enacted in 1866—just after the Civil war.

Decisions Rendered

It held the question of constitutional protection for Herndon was raised too late in the judicial process to be availing. But a court minority, contending Herndon's case should be heard, asserted other doctrine must be followed "if the great securities of the constitution are not to be lost in a web of procedural entanglements."

The day's decisions included:

A disclaimer of jurisdiction over the federal government's claim to exclusive control over water power developments on the New and Kanawha rivers in West Virginia. It had been disputed by that state and by several private power companies.

Invalidation of Ohio's tax upon real estate trust certificates.

In addition, the court opened the way for a possible ruling on the validity of the Bankhead cotton control act by consenting to review a suit brought by Lee Moor, a Texas producer, which was dismissed in lower courts. He sued the Texas and New Orleans railroad for not accepting cotton without tags specifying that the act had been complied with in its production.

I. L. D. SEEKS NEW HEARING FOR HERNDON

Rushes Petition to Halt Revocation of Georgia Bail

The International Labor Defense was racing with time yesterday in an effort to get a rehearing petition before the United States Supreme Court before the State of Georgia could revoke the $15,000 bail of Angelo Herndon and summon him back to the chain gang. The high court, by a 6 to 3 decision Monday, refused to interfere with the 18 to 20 year sentence imposed on the 22-year-old Communist organizer on charges of inciting to insurrection.

The majority opinion, written by Justice Sutherland, held that the United States Supreme Court could not consider the merits of the case because Herndon's attorneys had been tardy in asserting his constitutional rights in the Georgia courts.

The minority opinion, written by Justice Cardozo and shared in by Justices Brandeis and Stone, held that the protection of the Constitution had been seasonably invoked and urged the court to proceed to an adjudication of the merits of the case.

Herndon, arrested on July 11, 1932, and released on $15,000 bail following his conviction in a trial which attracted international attention, will be able to remain on bail until a copy of the United States Supreme Court decision is forwarded to the Georgia Supreme Court. The bail may be continued if a petition for a rehearing is filed before the United States Court before the mandate reaches the southern court.

Slave Law Invoked.

The Herndon appeal, argued on April 12 in Washington, attacked the constitutionality of the ancient Georgia law under which the youth had been indicted. The attorneys held that the statute, passed in 1861 and designed to crush slave rebellions, did not apply to Herndon, even if its provisions were constitutional.

The majority opinion of the United States Supreme Court held that this question was not properly raised in the first trial of Herndon which was conducted by Attorneys Ben J. Davis, Jr., and John H. Geer, I. L. D. lawyers. The question was more definitely raised in the appeal to the Georgia Supreme Court, but that body held that the action was tardy and refused to pass on it. This decision was supported by the United States Supreme Court Monday. Three justices dissented.

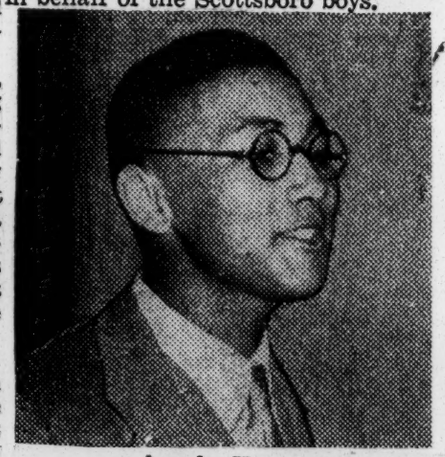
Herndon was arrested in the Atlanta, Ga., post office a few days after he had led a demonstration of white and Negro jobless before the Fulton County Courthouse to demand relief. Indicted under the slave insurrection law and tried in a court which observers stated was definitely prejudiced, Herndon, then 19 years old, made a statement from the witness stand which has echoed throughout the world:

Defies Georgia Courts.

"You may do what you will with Angelo Herndon," he said. "You may indict him. You may put him in jail. But there will come thousands of Angelo Herndons. If you really want to do anything about the case, you must go out and indict the social system. But this you will not do, for your role is to defend the system under which the toiling masses are robbed and oppressed."

Herndon was released in August, 1934, on $15,000 bail after spending 26 months in the Fulton Tower Prison. On his arrival here, he described his sojourn there as "hell." He charged that he had been tortured by his jailers.

Since his release, Herdon has traveled throughout the country speaking in behalf of the Scottsboro boys.



Angelo Herndon

MUST SERVE PRISON TERM IN GEORGIA

U. S. Supreme Court Refuses To Upset His Conviction

JUDGES ARE DIVIDED

Majority Opinion Says Appeal Issue Is Tardy

Special to Journal and Guide

WASHINGTON, D. C.—In a 6 to 3 decision the Supreme Court of the United States, refused last Monday to interfere with the conviction of Angelo Herndon, a Communist, of Atlanta, who was sentenced to 18 to 20 years in prison under an old Georgia law forbidding the inciting of insurrection.

Justice George Sutherland delivered the majority opinion, in which the court declined to go into the merits of the case. It dismissed Herndon's appeal on the ground that he was tardy in asserting his constitutional rights in the Georgia courts and that the Supreme Court therefore lacked jurisdiction.

A minority opinion was written by Justice Benjamin N. Cardozo. Justice Louis D. Brandeis and Justice Harlan F. Stone joined in the dissent.

3 Dissenters

The majority opinion held Herndon's contention "that he raised the federal question at the first opportunity is without substance and the appeal must be dismissed for want of jurisdiction."

Justice Cardozo's view was to the contrary. He held that "the protection of the Constitution was seasonably invoked and that the court should proceed to an adjudication of the merits."

Herndon, accused of being an organizer for the Communist party, was arrested July 11, 1932 as he

opened his mail box in the Atlanta post office. Police claimed they had been waiting for an alleged "scurrilous" letter, which was never offered in evidence at Herndon's trial.

The sentence could have been death, but the jury recommended mercy after he was convicted in the trial court. His conviction was later sustained by the Georgia Supreme Court.

Herndon's Atlanta trial was based on allegations that he possessed and distributed radical literature advocating the confiscation in the South by colored persons of land owned by white people, the "smashing" of the National Guard, the Citizens Military Training Corps, and the Reserve Officers Training Corps. Georgia law forbids attempts to incite insurrection. The law dates back to slavery and Reconstruction days.

Georgia charged that Herndon had gone to Atlanta as a paid organizer of the Communist Party.

The state argued that colored persons were being urged to organize, to seize the property of whites, and then decide whether they would set up their own government or separate from the United States.

Counsel for Herndon insisted that the reference to "revolutions" and "revolutionary" movements did not constitute a real threat to overthrow the government by force, but to bring about reforms.

Herndon charged that his constitutional rights had been violated by the Georgia prosecution. Although insisting that Herndon raised his appeal issue too late, the court admitted that "It is true that there was a preliminary attack upon the indictment in the trial court on the ground, among others, that the statute was in violation 'of the constitution of the United States,' and that this contention was overruled."

Further, the majority opinion held, "that adverse action of the trial court was not preserved by exceptions, pendente lite or assigned as error in due time in the bill of exceptions, as the settles rules of the state practice require. In that situation, the state supreme court declined to review any of the rulings of the trial court in respect of that and other preliminary issues."

Speaking specifically upon the basis of refusing Herndon's appeal, the highest court held:

Basis of Refusal

"The federal question was never properly presented to the state supreme court unless upon motion for rehearsing; and that court then refused to consider it. The long-established general rule is that the attempt to raise a federal question after judgment, upon a petition for rehearsing, comes too late, unless the court actually entertains the question and decides it."

Herndon claimed that his case fell within an exception to the rule—"namely, that the question respecting the validity of the statute as applied by the lower court first arose from its unanticipated act in giving to the statute a new construction which threatened rights under the constitution," quoting the decision.

To this the court answered: "There is no doubt that the federal claim was timely if the ruling of the state court could not have been anticipated and a petition for a rehearing presented the first opportunity for raising it. . . .The whole point, therefore, is whether the ruling here assailed should have been anticipated."

.... Strong minority opinion took

The minority opinion took sharp issue with the majority opinion, insisting that Herndon had seasonably noted his appeal issue, as far as circumstances permitted. Characteristic of the minority dissenting opinion is this statement:

"The settled doctrine is that when a constitutional privilege or immunity has been denied for the first time by a ruling made upon appeal, a litigant thus surprised may challenge the unexpected ruling by a motion for a rehearing, and the challenge will be timely."

"What the appealant is now asking of us is an opportunity to be heard. That privilege is his unless he has thrown it away by silence and acquiescence when there was need of speech and protest," the dissenting opinion further states."

The conduct of the Georgia courts is criticized by the dissenting justices, as unfairly blocking Herndon's legal recourses.

The majority opinion consumes five and a half typewritten sheets, while the dissenting opinion consumes 12 typewritten pages.

Launch Fight For Herndon

Young Negro Leader to Speak at Union Square Rally Today

A call to all individuals and organizations to pass resolutions immediately addressed to the United States Supreme Court, to their congressmen and senators, and to President Roosevelt, protesting the outrageous six to three decision of the United States Supreme Court, to send Angelo Herndon to the chain-gang for 18 to 20 years, was issued today by the International Labor Defense.

The legal steps being taken by the I. L. D. attorneys, including a petition for a re-hearing of the Herndon case by the United States Supreme Court, which will bring the issues in the case squarely before that court, cannot be successful without the greatest mass protest from every part of the country, against the U. S. Supreme Court decision, Anna Damon, acting national secretary, pointed out.

Reinforcing the appeal of the I. L. D., Angelo Herndon himself called on all friends of justice to take immediate action in his case.

"Don't think for a moment this is just the case of Angelo Herndon," he said. "This is the case of the toilers of America, and their right to organize for their economic and political demands.

"It wasn't just Angelo Herndon that the Supreme Court considered when it made its decision to refuse to consider the merits of my appeal. The Supreme Court had in mind the whole lynch-system of the South, the Jim Crow system that prevails all over America, and the organization of trade unions and unemployed organizations all over the country.

Law Unconstitutional

"The Georgia slave-law says it is a crime punishable by death to oppose this system in any way. It says that black and white workers must not organize together. It says they must not struggle for bread.

"The United States Supreme Court has refused to consider the possibility of a review of this law, which is so obviously unconstitutional that it would have a hard time faking up a decision upholding it—not that it would not do its best to do so."

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Herndon Does Not Fear Prison; Believes Masses Will Save Him

Youthful Communist Pins His Hope on New Hearing

By T. R. POSTON.

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IT was pointed out to him that other men caught in similar situations, faced with death or worse at the hands of prejudiced Southern officials on trumped-up charges, had reacted differently. There was Fred Beal, the white Communist organizer at Gastonia, N. C., for instance. When they freed Beal on bail after convicting him on a framed murder conspiracy charge several years ago, he didn't return to North Carolina. He jumped his bond and fled to the Soviet Union.

Herndon smiled wryly. "That was Beal," he said. "I am Herndon. I couldn't do that. Apart from the principle involved there is too much at stake. If I fled, I would betray the faith of the working class. I would admit defeat. And that we can never do."

His smile broadened. "But there is no need to talk of this now. The fight is really just beginning. We are going to appeal to the U. S. Supreme Court for a rehearing of my case. And with the mass pressure which will undoubtedly be exerted, we are almost sure to force a rehearing—one which will allow the judges to really pass on the merits of my case. Three of the justices dissented on the ruling, you know. Three of them wanted to consider the case on its merits. Enough mass pressure will bring the others around."

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With Mrs. Ida Norris, mother of Clarence Norris, Scottsboro defendant, he spoke in Syracuse, Rochester, Buffalo, Erie, Pa., Cleveland, Toledo, Detroit, Indianapolis, St. Louis, the Kansas Cities, Cincinnati, Columbus, Baltimore, Norfolk, Newport News, Reading, New Haven, Hartford, Waterbury, Bridgeport, Chicago, Gary, Milwaukee, Minneapolis, St. Paul, Des Moines and Omaha, Neb.

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opened his mail box in the Atlanta post office. Police claimed they had been waiting for an alleged "scurrilous" letter, which was never offered in evidence at Herndon's trial.

The sentence could have been death, but the jury recommended mercy after he was convicted in the trial court. His conviction was later sustained by the Georgia Supreme Court.

Herndon's Atlanta trial was based on allegations that he possessed and distributed radical literature advocating the confiscation in the South by colored persons of land owned by white people, the "smashing" of the National Guard, the Citizens Military Training Corps, and the Reserve Officers Training Corps. Georgia law forbids attempts to incite insurrection. The law dates back to slavery and Reconstruction days.

Georgia charged that Herndon had gone to Atlanta as a paid organizer of the Communist Party. The state urged that colored persons were being urged to organize, to seize the property of whites, and then decide whether they would set up their own government or separate from the United States.

Counsel for Herndon insisted that the reference to "revolutions" and "revolutionary" movements did not constitute a real threat to overthrow the government by force, but to bring about reforms.

Herndon charged that his constitutional rights had been violated by the Georgia prosecution. Although insisting that Herndon raised his appeal issue too late, the court admitted that "It is true that there was a preliminary attack upon the indictment in the trial court on the ground, among others, that the statute was in violation 'of the constitution of the United States,' and that this contention was overruled."

Further, the majority opinion held, "that adverse action of the trial court was not preserved by exceptions, pendente lite or assigned as error in due time in the bill of exceptions, as the settles rules of the state practice require. In that situation, the state supreme court declined to review any of the rulings of the trial court in respect of that and other preliminary issues."

Speaking specifically upon the basis of refusing Herndon's appeal, the highest court held:

Basis of Refusal

"The federal question was never properly presented to the state supreme court unless upon motion for rehearsing; and that court then refused to consider it. The long-established general rule is that the attempt to raise a federal question after judgment, upon a petition for rehearsing, comes too late, unless the court actually entertains the question and decides it."

Herndon claimed that his case fell within an exception to the rule—"namely, that the question respecting the validity of the statute as applied by the lower court first arose from its unanticipated act in giving to the statute a new construction which threatened rights under the constitution," quoting the decision.

To this the court answered: "There is no doubt that the federal claim was timely if the ruling of the state court could not have been anticipated and a petition for a rehearing presented the first opportunity for raising it. . . .The whole point, therefore, is whether the ruling here assailed should have been anticipated."

.... Strong minority opinion took

The minority opinion took sharp issue with the majority opinion, insisting that Herndon had seasonably noted his appeal issue, as far as circumstances permitted. Characteristic of the minority dissenting opinion is this statement:

"The settled doctrine is that when a constitutional privilege or immunity has been denied for the first time by a ruling made upon appeal, a litigant thus surprised may challenge the unexpected ruling by a motion for a rehearing, and the challenge will be timely."

"What the appealant is now asking of us is an opportunity to be heard. That privilege is his unless he has thrown it away by silence and acquiescence when there was need of speech and protest," the dissenting opinion further states."

The conduct of the Georgia courts is criticized by the dissenting justices, as unfairly blocking Herndon's legal recourses.

The majority opinion consumes five and a half typewritten sheets, while the dissenting opinion consumes 12 typewritten pages.

Launch Fight For Herndon

Young Negro Leader to Speak at Union Square Rally Today

A call to all individuals and organizations to pass resolutions immediately addressed to the United States Supreme Court, to their congressmen and senators and to President Roosevelt protesting the outrageous six to three decision of the United States Supreme Court, to send Angelo Herndon to the chain-gang for 18 to 20 years, was issued today by the International Labor Defense.

The legal steps being taken by the I. L. D. attorneys, including a petition for a re-hearing of the Herndon case by the United States Supreme Court, which will bring the issues in the case squarely before that court, cannot be successful without the greatest mass protest from every part of the country, against the U. S. Supreme Court decision, Anna Damon, acting national secretary, pointed out.

Reinforcing the appeal of the I. L. D., Angelo Herndon himself called on all friends of justice to take immediate action in his case.

"Don't think for a moment this is just the case of Angelo Herndon," he said. "This is the case of the toilers of America, and their right to organize for their economic and political demands.

"It wasn't just Angelo Herndon that the Supreme Court considered when it made its decision to refuse to consider the merits of my appeal. The Supreme Court had in mind the white lynch-system of the South, the Jim Crow system that prevails all over America, and the organization of trade unions and unemployed organizations all over the country.

Law Unconstitutional

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Labor-1935

Unions, Strikes, etc.

Georgia.

Dobbs' Position in 'Red' Squabble Is Assailed by Professor Rainey

Controversy over "red" propaganda which arose at the meeting of the Georgia Y. M. C. A. Council Tuesday night, flared still further Wednesday with Samuel C. Dobbs, Sr., newly elected president of the council, and Professor Glenn Rainey, of Georgia Tech, both adhering to their respective argument that there is and there isn't a flood of communistic literature being distributed in Georgia's public schools.

Rainey, an assistant professor of English at Tech, challenged the statement of President Dobbs that "there is a flood of communistic, socialistic and atheistic literature from the north sweeping our schools." He rose from the floor at the annual meeting of the Y council at which Mr. Dobbs was elected, and demanded to know the name of one man "flooding" schools with such propaganda.

Wells Supports Dobbs.

Dr. Harvey W. Cox, president of Emory University, of which Rainey is a graduate, stopped the discussion, but Jere Wells, superintendent of Fulton schools, supported President Dobbs with the assertion that Rainey could see plenty of such literature if he would visit the office of Solicitor-General John A. Boykin.

Wednesday Dobbs said the propaganda wasn't being put out by one man, but by an organization, and further said he would not deign to answer Rainey. He pointed to the statement recently of Boykin that the "red" influence is creeping south and that the American spirit is being undermined by the communistic literature distributed in schools.

Rainey Answers Assertion.

Rainey, who is a member of the board of directors of the Georgia Tech Y. M. C. A., later Wednesday prepared the following statement in answer to the assertion made Tuesday night by Dobbs:

There is in this country among certain people a concerted effort to bludgeon out every sort of free thought and honest criticism, particularly in the field of economics.

It is not hard to find those to whose interest it is to see that a genuine reconstruction fails and that sincere and disinterested effort in this direction is discredited. Such persons obviously are most loath to have questions asked. Their tactics are perfectly clear. They make a lump of socialism, communism, pacifism, atheism, etc., and indiscriminatingly apply these labels to any person who dares to have a bold thought and to utter it.

In Tuesday night's meeting it seemed to me that Mr. Dobbs was taking just such a position, and so far as he was able as president was committing the State Y. M. C. A. to a policy of reaction utterly inconsistent with the doctrines of Jesus as I know them and as I believe them to have significance in our present troubled world. It was against this that I wished to protest. Mr. Dobbs' statement that a flood of communistic propaganda was pouring into the schools I challenged partly in the interest of simple accuracy, but principally because I believe that such charges too often spring from a desire to create a "red scare" that threatens liberal thought and free speech, each of which I believe still to be precious above price. If Mr. Dobbs is not in sympathy with the people whose language he was speaking or if his statements were the result of misinformation they deserved none the less to be corrected.

I am not a communist. I have seen hundreds of trained college students go into a world which faces them with no prospect except that of unemployment and despair. This is the aspect of the depression that confronts me most immediately. I know that changes are going to have to be made to remedy this and other evils of our present economic system. Some of these changes which I favor are called socialistic. The term does not trouble me. I work also constantly in the cause of peace and in the cause of justice to all people. If the Y. M. C. A. stands realistically for these things I shall want to be allied with it.

The Tech professor formerly was instructor in political science at Northwestern University, and is faculty adviser of the International Relations Club, and the Cosmopolitan Club at Tech. He formerly was treasurer of the Atlanta Forum Association and secretary and treasurer of the Southeastern Political Science Association. He was president of the Tech chapter of the American Association of University Professors last year. He is a contributor to the New Republic and is well known as a poet.

YAGOL NOT ON FACULTY OF EMORY U., SAYS COX

Nathan Yagol is a graduate student at Emory University but is not a member of the university faculty, Dr. Harvey W. Cox, president of Emory, said Thursday in commenting on Yagol's ejection from the Oglethorpe University campus where the Emory student was accused of being a "communist."

A headline in The Constitution Thursday morning referred to Yagol as an "Emory teacher." Yagol holds a scholarship at Emory, President Cox explained, but performs only manual labor in return for the scholarship.

Dr. Cox added that Yagol's exoneration by the DeKalb county grand jury should be sufficient refutation of the charge that the Yagol is a "communist."

The Atlanta League of Women Voters Thursday stated that the league never takes issues against persons but that they stand only for principles.

The league Wednesday passed resolutions supporting the right of the free press, free speech and free assemblage. The resolution follows:

Whereas, we as American citizens are guaranteed under the constitution of the United States, the right of the free press, free speech and free assemblage, and—

Whereas, so recently as last October, four men and women, residents of Fulton and DeKalb counties, meeting in a private home for discussion of measures against war and for the promotion of peace, were seized by policemen and thrown into jail, for a space of two weeks, later being released by the DeKalb county grand jury for lack of incriminating evidence, and—

Whereas, any minority group in our midst stands in the same danger of oppressive treatment as the group just cited, the Atlanta League of Women Voters hereby offers this resolution of protest against such unwarranted and tyrranous action on the part of constituted authority and goes on record as standing for the uncompromising support of the people's civil rights as guaranteed under the constitution, and as being in unwavering opposition to interference with these rights.

Emory Teacher Visits Oglethorpe, Is Ejected by Brawny Footballers

One hundred Oglethorpe football players forsook the gridiron at Hermance field Wednesday afternoon to prevent a speech on Oglethorpe's campus by an Emory University student instructor whom they alleged to be a communist.

The "Stormy Petrels," led by Coach Frank B. Anderson, bodily prevented Nathan Yagol, who last year was arrested in DeKalb county on charges of inciting to insurrection but was later cleared by a grand jury, from walking on the campus after he had been notified by Dr. Thornwell Jacobs, Oglethorpe president, that he could not address the Oglethorpe International Relations Club, it was said.

Yagol, who is an instructor at Emory, had been invited by Dave Lashner and Arnold Smith, faculty advisers of the international relations club, to make a speech about Russia, but when Dr. Jacobs heard of the invitation, he forbade Yagol to speak.

Members of the relations club said Yagol accepted Dr. Jacobs' edict, but asked to be shown about the Oglethorpe campus while waiting for a street car back to Atlanta.

As he walked on the Oglethorpe grounds he was met by the football players, all wearing uniforms. Coach Anderson said the players expressed themselves as opposed to communism and surrounded Yagol, demanding that he leave. He left.

"There is no communistic spirit at Oglethorpe and we want the country to know it," Anderson said later. He denied a report that he had asked the football squad to "use force" if necessary to prevent Yagol's talking before the club.

Yagol was one of a number of persons arrested last year in DeKalb county and charged with inciting to insurrection. He was cleared of the charges when the DeKalb county grand jury returned a "no-bill" on his case, but the action of the police in arresting him and the others brought the ire of the Atlanta League of Women Voters who Wednesday adopted a resolution protesting against "any interference by constituted authority" with the "civil rights" of citizens.

This resolution was directed specifically at the authorities who last fall arrested Yagol and his companions.

The women voters pointed out in their resolution that American citizens are guaranteed the right of speech, free assemblage and free press by the constitution of the United States.

Yagol said he didn't mind not being allowed to speak at Oglethorpe—that he had to hurry back to do some studying, anyway.

Oglethorpe's football squad returned to the humdrum of spring practice after stopping Yagol's advance on the Oglethorpe campus.

Plan for Negro Nation Is Charged to Herndon

WASHINGTON, April 12.—(AP)—An asserted communist plan to set up a negro nation in the south was presented to the supreme court by the state of Georgia today to support the conviction of Angelo Herndon, negro, for violating the state's old insurrection law.

Literature found in Herndon's possession, J. Walter LeCraw, attorney for the state said, advocated overthrow of the existing government.

The question before the high court was whether Georgia had deprived Herndon of the constitutional rights of freedom of speech and assembly in construing his communist activities as tending to incite force against the existing authority.

Whitney N. Seymour, counsel for Herndon, contended such a construction denied the negro these rights, that the "revolution" mentioned in literature found in his possession did not necessarily imply use of force and there was nothing to show a "clear and present danger" to the state.

Herndon sat in the court today. He was convicted and sentenced to 18 to 20 years' imprisonment three years ago on a Georgia statute dating back to 1866.

The Herndon Appeal

THE United States Supreme Court, which recently was compelled by mass pressure to reverse the infamous Scottsboro decision, will hear today the appeal of Angelo Herndon, heroic young Negro worker, who is under sentence to serve 18-20 years on the Georgia chain gang.

Herndon, free under $15,000 cash bail raised by the workers and farmers of America, will be in the courtroom; he will face the nine old men on the Supreme Court bench and will listen to the arguments presented by his attorney, Whitney North Seymour, retained by the International Labor Defense.

Three years ago Herndon, then only 19, led the jobless workers of Atlanta, Negro and white, in a demonstration before the county courthouse. The result was a prompt emergency appropriation of $6,000 for immediate relief.

Enraged by this action, authorities seized Herndon, placed him on trial under an old Georgia law passed in pre-civil war days designed to crush slave insurrections, and the vicious sentence followed.

The I. L. D. in its appeal is challenging the constitutionality of this statute. It is demanding the immediate release of Angelo Herndon.

Help the I. L. D. in this fight not only for Herndon, but for the elementary rights of the Negro people. Flood the U. S. Supreme Court with protests demanding the liberation of this young American Dimitroff!

Slave Statute Is Challenged In High Court

Herndon Held on Law Designed to Maintain Chattel Slavery

By BEN DAVIS, JR.,
Editor, "Negro Liberator"

In direct line of descent from the cruel slave laws of the earliest colonial days, is the statute which stands today upon the books of the state of Georgia, and under which Angelo Herndon, 22-year-old Negro organizer, faces a sentence of eighteen to twenty years on the chain-gang.

In the eighteenth and early nineteenth centuries, it was the chattel slaves, owned outright by their masters, against whom the severest legislation was directed. Over a period of two and a half centuries, those early slave laws have been continued, with only enough revision of word and phrase to make them applicable to the slaves of the present day—the white and black slaves of capitalism.

Tortures of Slaves

Thus, in colonial New York, statutes were passed in 1708 and 1712 to prevent and punish slave in-

New York Evening Post

APR 10 1935

Freedom of Speech in 1935

Sir—I am outlining the material issues in the Herndon case, which will be argued in the United States Supreme Court on or about April 11.

Herndon was arrested as a result of a demonstration in Atlanta in June, 1932, which took place for the purpose of increasing the relief which the Commissioners were granting in Atlanta. It was a Negro and white demonstration. Herndon was held for fourteen days without any charge whatsoever being made against him. When a writ of habeas corpus was sued out on the fourteenth day and the judge indicated that he would release him unless some charge was made, Herndon was finally charged with attempting to incite insurrection, which is a capital offense in Georgia. The only evidence against him, and I am speaking as a lawyer and not as a propagandist in saying this, was an alleged admission that he was an organizer for the Communist Party and some Communist literature found under his arm when he was arrested without a warrant, and some more literature which was found in his room which was searched without a warrant.

After trial he was convicted and because the jury recommended mercy he was sentenced to "only" twenty years on the Georgia chain gang. The conviction was affirmed by the Supreme Court of Georgia and a motion for a rehearing denied.

In the United States Supreme Court the contentions made are roughly as follows: That the statute as applied to Herndon and as construed by the Supreme Court of Georgia is unconstitutional. The Supreme Court said at first that Herndon could be held guilty if insurrection occurred at any time as a result of his efforts. The court on the rehearing said that it was immaterial whether the authority of the State of Georgia was in danger of being subverted "or that an insurrection actually occurred or was impending."

Although force must have been contemplated to establish his guilt it was not "necessary that the alleged offender should have intended that an insurrection should follow instantly or at any given time, but it should be sufficient that he intended it to happen at any time, as a result of his influence by those whom he sought to incite." It is our contention that any statute which can be so vaguely construed is a limitation on the right of free speech and assembly and that the statute itself, as so construed, is so vague as to render it unconstitutional. The main point of the case, as we see it, is whether the Supreme Court has decided finally to depart from the "clear and present danger test" laid down by Mr. Justice Holmes in the Schenck case.

There are eighteen more cases, as I understand it, now pending in Georgia under the statute.

CAROL KING.

HERNDON MAKES ANOTHER APPEAL

Supreme Court Hears Appeal Against His 20-Year Sentence

WASHINGTON, D. C.—Appearing before the United States Supreme Court here last week, Attorney Whitney North Seymour made a stirring plea against the decision of the Georgia state courts which sentenced Angelo Herndon, young worker who has been sentenced to 20 years on the chain gang as the result of a demonstration in which he is said to have taken part in Atlanta in 1932. In his argument for the appeal, Seymour attacked he constitutionality of the Georgia "insurrection" statute under which Herndon was convicted.

Seymour, a former Assistant Solicitor General of the United States was supported by Walter Gelhorn, Herbert T. Wechsler and Carol King, all qualified attorneys who have been retained, along with Seymour to handle the case. The appeal was contested by Assistant Attorney General of Georgia, Walter Lee Craw.

Arguing that the right of free speech, the right of organization, and the right of the jobless to demand relief which are basic constitutional rights are involved in the Herndon case and bitterly assailing the constitutionality of the charge of "inciting an insurrection" of which Herndon was convicted, Seymour asserted that the law was based upon an old pre-Civil War statute, designged to crush slave uprisings.

Herndon was arrested in July 1932, a few days after he is said to have led a demonstration of white and colored unemployed to the county courthouse to demand relief. Indicted under the "insurrection law," he was swiftly convicted by an Atlanta jury and sentenced to a term of 18 to 20 years on the chain gang. During his trial he is said to have admitted his connection with the Communist party.

After spending about 26 months in Fulton Tower Prison, Herndon was finally released in August 1934, in $15,000 bail and has been making a speaking tour under the auspices of the ILD. He was present in the courtroom during the appeal.

The right of the Communist Party to exist as a legal party in the state of Georgia was attacked by Craw during his argument, charging that the "reds" only wished to incite trouble and confusion. This was emphatically denied by Seymour.

surrections and conspiracies. The fear of such insurrections in 1712 and 1741 led, in New York City, to the wholesale execution of Negroes and of their white friends, and involved the most cruel punishments.

In the colony of Georgia, in 1765, 1770 and 1773, various acts of the colonial legislature prescribed lashing as the punishment for unlawful assembly of slaves, and death without benefit of clergy for aiding runaway slaves and for the second offense of striking a white man.

Death Penalty for Revolt

On May 19, 1804, the Georgia legislature passed a statute which may be considered the direct predecessor of the present Georgia insurrection law. Any incitement to insurrection of slaves was a felony punishable by death without benefit of clergy. The law stated:

"If any person shall raise or attempt or endeavor to raise any insurrection of slaves, or shall counsel, advise, aid or abet any such insurrection, or shall excite, promote, instigate or stir up any such insurrection, every person so offending, shall, on conviction thereof, be adjudged guilty of felony, and shall suffer death without benefit of clergy.

"And, be it further enacted, That if any person or persons shall hold any discourse or conversation with any slave or slaves, and shall make or deliver, or cause, or procure to be made, or deliver to any slave or slaves and discourse, speech harangue or talk tending to excite such slave or slaves to sedition, tumult, or disorder, or write, or print, or publish any such discourse, speech, harangue, or talk; every person or persons offending shall be banished this state forever. And if such person or persons return to and be found at large within the limits of the state, he or they so returning, shall suffer death without benefit of clergy."

Enforcing Illiteracy

In almost every slave-holding state of the union it was a crime to teach a slave to read and write. Yet thousands learned, in small secret groups held under the guise of prayer-meetings, barbecue feasts and fishing expeditions.

So in 1861, the Georgia Legislature added to its statute books the following law:

"If any person be in any manner instrumental in bringing, introducing or circulating within the state any printed or written paper, pamphlet, or circular for the purpose of exciting insurrection, revolt, conspiracy, or resistance on the part of slaves, Negroes or free persons of color in this state he shall be guilty of high misdemeanor which is punishable by death."

The New Slavery

With the end of the Civil War came the end of chattel slavery. Now began the period of Reconstruction, with the former slaves making a glorious fight to enforce their freedom, and the Republican government setting out on its long course of treachery to the Negro people. This treachery made it possible for the Southern ruling class to establish slavery in a new form, with peonage on the land, elaborate Jim-Crow statutes, in every state of the South.

To enforce this new slavery, the Georgia ruling class passed the following law::

"Any attempt, by persuasion or otherwise, to induce others to join in any combined resistance to the lawful authority of the State, shall constitute an attempt to incite insurrection.

"Any person convicted of the offense of insurrection, or an attempt to incite insurrection, shall be punishable with death; or, if the jury recommend to mercy, confinement in the penitentiary for not less than five nor more than twenty years."

It was on the basis of this law that Angelo Herndon was indicted, tried and sentenced—because the jury recommended "mercy!"—to serve 18 to 20 years on the chain gang.

The right of the state of Georgia to keep this slave law on its statute books is being challenged before the Supreme Court of the United States by attorneys for the International Labor Defense, who are arguing the case of Angelo Herndon. This court can be forced to free Herndon, to declare the slave law unconstitutional and wipe it off the books, only by the method that has forced it to reverse the Scottsboro death verdicts—mass pressure, mass protest.

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THE CHAIN GANG cannot yet claim Angelo Herndon. An application for a writ of habeas corpus on the ground that the statute under which Herndon was convicted was a violation of the Fourteenth Amendment was acted on by Judge Hugh M. Dorsey in Fulton County Superior Court on December 7. Judge Dorsey ruled that the statute was in fact unconstitutional and that Herndon's conviction and sentence, therefore, were "illegal, void, and of no effect." Herndon is out on $8,000 bail for a twenty-day period during which the state may appeal the case to the Georgia Supreme Court. If it does, the Supreme Court of the United States may be expected to rule on it at last. A mere layman, of course, should hesitate to express an opinion on judicial processes, particularly with respect to the court of last resort. But if the Georgia insurrection statute is unconstitutional now, it was so while the Supreme Court was twice ruling that the issue of constitutionality had not been properly raised. Mr. Justice Cardozo, in a dissenting opinion, indicated that the technicality on which the court refused to take jurisdiction was a finely drawn one; that it was drawn meant months in jail for the defendant, and more months are still ahead of him while the final appeal goes through its measured paces. Months, however, are undoubtedly better than years. In a comparatively short time Herndon may be free. His years in jail have made him many friends and have demonstrated the strength of the mass protest which as much as anything helped his cause to be celebrated and his freedom to be a matter of public concern.

Herndon Urges Unity To Halt Tampa Terror

Negro Youth Tells of Own Case in Calling for Joint Action

When Angelo Herndon gives his opinion on what must be done about the recent kidnapings, flogging and murder of Socialist workers in Tampa, Fla., it's worth listening.

"I was still in Fulton Tower Prison in Atlanta when I first heard about the case," the young Negro said yesterday. "One of the prisoners saw a small item buried in a local paper, telling that Norman Thomas and Arthur Garfield Hays had demanded that steps be taken against the vigilante terror in Tampa.

Of course the prisoners brought the item to Angelo. They knew that the question of political rights was uppermost in the mind of the young Negro who was fighting a 20-year chain gang sentence.

Stirred by Tampa Case

A few days later, Angelo Herndon walked out of Fulton Tower with unconditional freedom nearer than ever before. The Tampa case was still in his mind.

"The reason I'm not on that chain gang now is because liberals, Socialists and Communists united to get me out," Angelo said. "And that's the way to stop this new wave of terror in Florida and elsewhere in the South."

Angelo is glad to tell how Norman Thomas helped him. Besides using his influence in building a united front around the case, it seems that Thomas wrote to the newspaper reporters in Atlanta and asked them to keep an eye on Herndon.

Reporters Keep Watchful Eye

"The reporters came to see me a couple of times a week to find out how I was getting on," Angelo said. "If it hadn't been for that, it's very possible that I would have been mistreated and had some privileges taken away."

Now that he's able to be active, he isn't thinking only of himself. "Of course, I'm going to do all I can to win my own unconditional freedom. But at the same time, I'm going to do everything possible in connection with the terror in Tampa."

Yes, he said, the answer to Tampa is a united front. And Angelo Herndon ought to know.

Japanese troops. A virtual state of emergency exists. All city gates were closed.

Troops under Yin Ju-Keng, head of the pro-Japanese "autonomous government" in North China, were in complete control of Tangku, Port of Tientsin and the adjoining fortified town of Taku, at the mouth of the Pei-Ho, 30 miles from Tientsin.

Plans to Extend Control

The colonel in command announced he was negotiating to take over Hsingho, between Tangku and Tientsin.

Yin Ju-Keng had not yet seized the railroad or customs receipts, announcing that they would be subject to later negotiation.

Yin's spokesman said he was asking General Shang Chen, government loyalist, to pay for the funerals of two soldiers killed yesterday "due to a regrettable misunderstanding." The men were killed in a clash when Shang's forces were withdrawing from Tangku in the

Judge Upsets Georgia Revolt Law of 1866 In Case of Herndon, Negro Red Organizer

Special to THE

ATLANTA, Dec. 7.—Georgia's old anti-sedition statute of 1866, under which Angelo Herndon, Negro Communist, was sentenced to eighteen to twenty years in prison, was held unconstitutional today.

It was declared invalid in a habeas corpus ruling by Judge Hugh M. Dorsey in Fulton County Superior Court, who freed Herndon in $8,000 bail and allowed the State twenty days for an appeal to the Georgia Supreme Court.

Assistant Solicitor General E. A. Stephens said that in all probability an appeal would be taken immediately and defense counsel indicated that, if necessary, the case would be carried to the United States Supreme Court.

Herndon was convicted of violating the statute in 1932 after he had organized in a relief appeal about 1,000 families, of which about 600 were white. He was accused of attempting to establish a Negro republic and some of the reading matter found in his possession was alleged to advocate overthrow of government in Southeastern States.

In his decision Judge Dorsey upheld the defense contention that the statute as construed and applied in this case "is in conflict with the Fourteenth Amendment of the Constitution of the United States, in that it is too vague and too indefinite to provide a sufficiently ascertainable standard of guilt, and is also in conflict with Article 1, Section 1, Paragraph 3, of the Constitution of the State of Georgia for the same reason."

He therefore ruled that Herndon's conviction and sentence "are unconstitutional, illegal, void and of no effect."

The judge observed, however, that "it would be a simple matter to enact a law that would protect the State and meet all Federal and State constitutional requirements," and added:

"Many of our States have laws that have been upheld by the Supreme Court of the United States, which give ample protection against doctrines such as Herndon was advocating."

Herndon, leaving the city jail, announced that he would spend a week here and then go to New York, where he expects to arrange for a tour to the Pacific Coast speaking on communism. He took with him an armful of books on fascism and the policies of Mussolini and on conditions in Ethiopia, which he said had been mailed to him by friends.

His bail consisted of $8,000 in United States bonds, a part of the $15,000 bond posted while his case was on appeal.

Richmond, Va., Times Dispatch
December 10, 1935

The Angelo Herndon c

IN that bloody era when Georgians were recapturing their government after carpet-bag rule, one of the first acts of the Democratic legislature, after its return to power, was to put on the books what has come to be known as the "insurrection" law. It was designed to give State authorities power to handle former slaves who might, in their new-found freedom, desire to organize themselves and agitate for political or other power. The law was passed in 1872 in a tense atmosphere. The election of that year was held at the point of shotguns in the hands of white men who were bent upon terrorising Negroes into staying away from the polls. Others, more subtle, got Negroes drunk and kept them away.

The law was never designed for anything except to extend the power of the State to deal with carpet baggers and freedmen. It was, in fact, forgotten until 1932, when ANGELO HERNDON, a Communist agitator, went down to Atlanta from New York and organized 1,000 needy families into an association to demand more relief money than they were getting. Police who raided his place found Communist literature, and the district attorney revived the forgotten statute and had him indicted by the Grand

Jury. A State court convicted him and sentenced him to from 18 to 20 years. The United States Supreme Court refused to review the case because of the absence of a constitutional question. Attorneys for HERNDON succeeded last week in getting it before JUDGE HUGH M. DORSEY, former Governor of the State. JUDGE DORSEY Saturday ruled the law unconstitutional on the ground that it transcended the Fourteenth Amendment, guaranteeing free press and free speech, and on the further ground that it was "too vague and indefinite."

Although he rode to the governorship on the strength of his prosecution of LEO M. FRANK, a prosecution surcharged with prejudice, MR. DORSEY as Governor and now as judge has vindicated the liberality of his views. As Governor he ripped into the Ku-Klux Klan with a vigor no less apparent than that of THOMAS W. HARDWICK, who committed political suicide when he demanded that the Klan unmask. JUDGE DORSEY'S decision is thoroughly in accord with the doctrine of MR. JUSTICE HOLMES, who held, in effect, in the SCHWIMMER case that the more hateful the view of another person might be, the more essential was the preservation of his right to utter it.

We have no sympathy with HERNDON or his Communist activities, but his conviction under such a statute was a monstrous distortion of justice and manifestly, as JUDGE DORSEY held, a complete abridgement of the guarantee of free speech. If we choose to apply such a far-fetched piece of legislation to Communists, nobody with political views in opposition to those of the party in power is safe.

VAGUENESS' AIDS HERNDON

Judge Dorsey's Last-Minute Ruling Kept Negro From Georgia Chain Gang

By EDWIN CAMP.

Editorial Correspondence, THE NEW YORK TIMES.

ATLANTA, Dec. 13.—When it seemed that the last avenue of legal escape from an eighteen-year sentence to a Georgia chain gang had been closed to Angelo Herndon, a habeas corpus ruling by Judge Hugh M. Dorsey reopened the case of the youthful Negro Communist.

Judge Dorsey ruled in Fulton Superior Court that the Georgia statute, which was passed in 1866 to hold the threat of death over any one who should incite the newly freed slaves to insurrection, was unconstitutional as applied to the Herndon case because it was too vague to provide a sufficiently ascertainable standard of guilt.

A bill of exceptions, asked by the Solicitor of the Fulton Superior Court, was granted Wednesday by Judge Dorsey, and the case will be called up before the State Supreme Court in January or in early March, at the latest. The prosecuting office says it will exert every effort to enforce the jury sentence.

Herndon's counsel, one of whom is Whitney North Seymour, who was Assistant United States Attorney General in the Hoover administration, indicate they will persist until their client is freed.

In the meantime, Herndon is out under $8,000 bond, provided, it is said, by the International Labor Defense and other organizations.

Led Relief March.

There seems to be a little dispute about the facts. Herndon, a Negro not then 20 years of age, and equipped with little more than a grammar school education, came to Atlanta from Cincinnati in 1932 as a Communist organizer.

He frankly admitted to the jury his zeal as a propagandist, but said he went no further than to preach his faith. In the Spring of that year he organized a march of about 1,000 families to the county court house to ask for relief. He was arrested on a formal charge of "suspicion," and in his room was found a quantity of leaflets and booklets of the Communist party.

Eleven days after his arrest he was indicted under the so-called Georgia Insurrection Statute, which is as follows:

"Any attempt, by persuasion or otherwise, to induce others to join in any combined resistance to the lawful authority of the State shall constitute an attempt to incite insurrection."

He was represented by two Atlanta Negro lawyers and, after a trial lasting several days, was found guilty in January, 1933. The jury fixed the penalty at from eighteen to twenty years.

Appeal was taken on the ground that there was not sufficient evidence to sustain the charge of attempt to incite an insurrection. The State Supreme Court affirmed the conviction.

Then Mr. Seymour of New York entered the case and later obtained the assistance of the firm of Sutherland, Tuttle & Brennan, Atlanta lawyers.

New Defense Is Made.

Herndon's counsel then struck for the first time at the constitutionality of the statute. The State Supreme Court held it could not pass on it, because the question had not been raised at the earliest possible moment, a rule which is said to prevail in most States.

The United States Supreme Court next heard the plea that the Georgia statute was in conflict with the due process clause, on the ground that freedom of speech and assembly are guaranteed. But it held last Spring that it was without jurisdiction, because the question had not been raised early enough.

The habeas corpus proceedings were then begun which Judge Dorsey upheld. Herndon's counsel argued that in order for a State to be permitted to curtail the liberty of free speech, it was necessary to show there was a clear and present danger that force would result from the activities of the speaker.

They held that while Herndon's case was pending the official ballots in Georgia in the election of 1932 carried the names of the Communist candidates, and that Herndon's work as organizer could not have been so subversive as the action of the State itself.

HIS CASE REOPENED

Associated Press.

Angelo Herndon, Communist, will have a new hearing in Georgia.

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HERNDON PLACED IN ATLANTA JAIL

I.L.D. Urges Renewed Campaign For Freedom

Hearing On Writ Scheduled For Nov. 12th

Crusader news agency.

ATLANTA, Ga.-(CNA)- Angelo Herndon, America's most famous political prisoner, gave himself up last Monday, October 28th.

11-2-35

He was immediately placed in Fulton County Tower where he was imprisoned for twenty six months prior to his release on $15,000 bail in August 1934.

New York, N.Y.

When the United States Supreme Court twice refused to consider the merits of his case, it condemned him to the Georgia chaingang. According to the provisions of his bail he had to return to the Georgia officials as soon as the U.S. Supreme Court sent down the mandate of its last decision to the Georgia Supreme Court. That mandate was received by the state authorities Monday morning, October 28.

Put in Fulton Tower

As soon as Herndon reported he was placed in the Fulton County Jail where he had been imprisoned for 26 months prior to his release on $15,000 bail last August. The bail was raised by sympathizers, friends and members of the I.L.D.

308 west 141 st.

Attorneys for Herndon have secured an order setting November 12th as the date for a hearing on a writ of habeas corpus sought on the ground that the constitutionality of the "insurrection" slave law under which he was convicted has never been determined.

There is a United States Supreme Court decision holding that where the constitutionality of a statute under which a prisoner is held has not been tested because of technical grounds, such a test may be had through a writ of habeas corpus. It is on this ground that Tom Mooney, California's famous political prisoner, is now seeking his freedom.

The effect of the order for Herndon is to prevent the Georgia authorities from immediately rushing him to the Georgia chaingang.

"Fight Harder", Says Damon

"The campaign for two million signatures must be speeded", declared Anna Damon, acting national Secretary of the International Labor Defense, last week. "The nation-wide efforts to free Herndon must not lag", she stated. The petition to which the signatures must be appended calls for the immediate release of Herndon and repeal of the Georgia "insurrection law".

Miss Damon, also urged all friends of Angelo Herndon and of the Negro people to rush funds to carry through the legal steps for Herndon's freedom. Contributions, large and small, should be sent special mail to the I.L.D., 80 E, 11th Street, New York City. It is estimated that the immediate steps for Herndon's release will require approximately, $3,000.00

Miss Damon urged that protests demanding Herndon's freedom should be sent to Governor Eugene Talmadge, Atlanta, Georgia.

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2

CHAIN GANG FOR HERNDON LOOMS IF APPEAL FAILS

State Supreme Court to Rule On Herndon Plea This Week—I. L. D. May Take Case Back to U. S. Court If Appeal Is Refused.

By J. C. CHUNN
(Staff Correspondent)

ATLANTA, Ga., Nov. 14—Georgia's ancient "Insurrection Law" was attacked from all sides Tuesday by legal "big guns," as Judge Hugh M. Dorsey began the habeas corpus hearing for Angelo Herndon, Communist, who was convicted in 1932 of attempting to incite a munist program throughout the riot. "black belt."

Lawyers for Herndon asserted that the law under which he was convicted is contrary to the 14th Amendment of the Constitution which provides for free speech free press and free assemblage.

And beside that the attorneys contended, Angelo never attempted to incite a riot anyway. He only made an effort to organize the labor forces in Georgia, they said.

The hearing was recessed at 5 o'clock Tuesday afternoon by Judge Dorsey until 9 o'clock Wednesday morning.

Whitney North Seymour, of New York, a former Assistant United States Solicitor General, heads the legal staff, appearing for Herndon. His associates are: W. A. Sutherland, well known Atlanta lawyer and Elbert P. Tuttle.

Seymour contended that Georgia's Insurrection Law has never been tested in the Supreme court and that it is unconstitutional. Also, he declared, it is too vague and indefinite for any conscientious jury to convict a person under. The State's opposition to the habeas corpus is being presented by Major J. Walter Lecraw, Assistant Solicitor General. He will have the concluding argument Wednesday morning.

Herndon was charged by the State in the original trial, before Judge Lee Wyatt of LaGrange, with attempting to organize a Negro Republic in Georgia. To this Seymour answered that Herndon was only furthering the interest of the Communist party in attempting to organize the labor forces in the State as a part of the general Com-

He declared in all the communistic literature found in Herndon's possession at the time of his arrest, there was not a single word which advocated using force to overthrow the government. In one book, written by a clergyman, he admitted, there was one little passage which said something about force, but the New York lawyer asserted Herndon did not distribute this volume at all. He had it for his personal use, he said.

Attorney Seymour declared that even if Herndon had mentioned anything about "force," it really would not have been a threat against the Georgia government because in the State, in 1932, there were only 27 or so communist voters. He also argued that the youth was deprived of his liberty without due process of the law and that the nature of the evidence on which Herndon was convicted was unconstitutional.

The famous New York attorney came here specially for the trial and will leave for New York immediately following a decision on the case.

Herndon's defense is being paid for by the International Labor Defense and the Communist and Socialist parties and other organizations.

The United States Supreme court recently refused to review the case because constitutional questions had not been presented in the correct form, the Herndon attorneys said.

Herndon said Tuesday, he was not optimistic about his habeas corpus petition, but that he hoped it would result in the Insurrection law receiving a test by the United States Supreme court.

Lawyers for the youth said his conviction under such a law was "ridiculous" and that simply having the law on the statue books of the State puts Georgia in a bad light throughout the world.

"It is unusual that Georgia, where good relations exist between the Negro and white man, and where the Negro has played no part in our political life, should single out a Negro boy for its first victim under the Insurrection statue," Sutherland asserted.

He declared that no other person had been convicted under the law. Herndon led a group of 600 white persons and 400 Negroes to the Fulton County Court House back in 1932 to demand that more relief be given the poor and destitute. It was shortly after that mass meeting that he was arrested and communistic literature was found in his rooms.

Herndon admitted holding meetings and that he was an organizer for the Communist party but he vehemently denied he had ever advocated use of force in an overthrow of the government.

Tuesday in court, he was nicely dressed and sat quietly while the lawyers argued his petition directed against Sheriff James I. Lowry as ex-officio jailer.

The writ seeks to have the court force the sheriff to release him, contending that he is illegally held. His sentence of 18 to 20 years was the lightest he could have received under Georgia's law. Death is the extreme penalty, but the jury which found him guilty, recommended mercy and Judge Wyatt pronounced the sentence of 18 to 20 years.

Though it has been nearly four years since he was convicted, Herndon has never experienced the shackles of a Georgia chaingang. He has spent much time in Fulton Tower, where he complained bitterly of the treatment he received, but for more than a year he toured the north while out under $15,000 bond, and lectured for the Communist party.

Herndon said the Communist party and other organizations are supplying the money for his fight for freedom, but he asserted not a red cent had been contributed by Red Russia, the home of communism.

It is the general opinion of close followers of legal procedure here, that in case Herndon would have to go to the Georgia chaingang, Governor Eugene Talmadge, the State's liberal governor, would use executive power and pardon him. However, no official statement has been made from Capitol Hill.

To effect executive clemency a petition would be filed to the Prison Commission and as in most cases the Governor would act upon the recommendation of that body. Whether or not the Governor would act over the Prison Commission's failure to recommend clemency is not known, but close followers believe that in this case he would, providing all litigations would be dropped and Herndon began his term.

[illegible], Ga., Press
December 11, 1935

HERNDON'S FATE UNSETTLED.

The finding of Judge Hugh M. Dorsey of the Fulton County Superior Court that the statute under which Angelo Herndon, the negro communist, was convicted and sentenced in Fulton county is unconstitutional, will probably attract more attention outside the state than within the confines of Georgia. The case of this negro has assumed undue proportions because of outside interference and the activity of those who are interested in the cause of communism.

This is the negro, it will be recalled, who was arrested in Atlanta when much communist literature was found in his home. He was tried under an act which charged him with attempting to establish a negro republic and overthrow the government in Georgia and other Southern states. He received a sentence of eighteen to twenty years and this sentence was upheld in the appellate courts.

Through some legal machinations the case got before Judge Dorsey, a former governor of the state, and the constitutionality of the statute was attacked. Judge Dorsey on Saturday held the act under which the negro was convicted to be unconstitutional. This, of course, was tantamount to an acquittal for Herndon.

His friends have put up a bond of $8,000 for him, secured by United States bonds, and the state authorities announce there will be an appeal to higher courts in Georgia and even to the United States Supreme Court if necessary.

Herndon, leaving the Atlanta jail, announced he would spend a week in Atlanta and then go to New York, where he expects to arrange for a tour to the Pacific coast speaking on communism.

The anti-sedition statute has been on the books in Georgia since 1866. It has not been seriously atacked before.

In his decision Judge Dorsey upheld the defense contention that the statute as construed and applied in this case "is in conflict with the Fourteenth Amendment of the Constitution of the United States, in that it is too vague and too indefinite to provide a sufficiently ascertainable standard of guilt, and is also in conflict with Article 1, Section 1, Paragraph 3, of the Constitution of the state of Georgia for the same reason."

We expect to hear much more from this decision before it is finally upheld if the case is remanded for further hearing in Georgia.

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ANGELO HERNDON TELLS FOR FIRST TIME GRIPPING STORY OF EVENTS THAT LED TO HIS SENTENCE ON DREADED GEORGIA CHAIN-GANG

WHY I WAS ARRESTED

(The article below was the last written by Angelo Herndon before he returned to Georgia to surrender himself, on October 28, to begin serving his sentence of 18 to 20 years on the Georgia chain-gang. He tells for the first time the full story of the demonstration of Atlanta's unemployed which was followed by his arrest and conviction under the 1861 slave insurrection statute.)

11-23-35

By Angelo Herndon

Thursday, June 30, 1932, is one day of my life that I can never forget. That day saw the first great joint demonstration of white and Negro workers in Georgia, in more years than almost anyone could remember.

That day was the start of the Herndon "insurrection case." So many people asked me: "How did it all begin?" that I want to tell, here and now, the story of the demonstration. Here are the facts, and they proved that the sentence of 18 to 20 years on the chain-gang, which the Georgia courts have handed down and the Supreme Court upheld, was given for one reason only—that I dared to ask for bread for starving people.

When the relief stations in Atlanta closed down in the middle of June, 1932, twenty-two thousand men and women were brought to face with starvation. Not poverty such as they had always known when they were at work. Not the hunger they experienced on the halg rations roled out by the relief stations. But, quite simply and literally, starvation and eventual death.

Community Chest Had Money.

Why were these workers being thrown off relief, people asked? They remembered that only a few weeks before that, the Community Chest of Atlanta had closed its drive for funds, with the announcement that it had collected $800,000. The question was put most sharply by the workers organized in the Unemployment Councils, which were meeting, in groups of five or six, in private homes, behind drawn shades.

After the relief stations closed the Commissioners of Fulton county, of which Atlanta is the seat, met to consider the situation. Some of the commissioners were in favor of piling more taxes on the workers and small home-owners. But Frank Neely, the executive director of the Community Chest, had another idea. He pointed out that hundreds of farms in the state had been taken over for taxes—which was quite true—and were not lying idle. He proposed that the city and county authorities round up all the "idle" in the city, and ship them, with their families, to those farms, to work for their board. Neely said: "A little elbow grease won't hurt them."

When the workers of Atlanta heard about this proposal, they were sore. They knew a couple of things that hadn't been discussed in the County Commission. One was that the farms had been abandoned because the farmers, even with an experience gained over many years, even with the small fund of tools and work-animals they had been able to accumulate, hadn't been able to make a go of farming. They had failed, first and foremost because hungry and ragged people had no money to buy the food and cotton that the farms could raise. And here the county commissioners were planning to send workers who had no knowledge of farming, no tools, no work-animals, no seed, and dump them on these worn-out farms!

"I Can't See Any Starvation!"

The workers knew, also, that Frank Neely drew $6,500 a year on his job, and maybe more on the side.

One of the commissioners, Mr Hendrix, said that there were no starving families in Atlanta, or if there were, he hadn't seen any. Well, he probably hadn't at that. The unemployed of Atlanta had too much "manners" to walk up and down Peachtree street and spoil the good times of the well-to-do people popping in and out of its beautiful stores and theatres and restaurants. The Atlanta jobless were standing in line at the relief stations, or huddling over fires made from their last bits of coal. They were polite enough to starve out of sight, in places where Mr. Hendrix never came.

Walter S. McNeal, another one of the Commissioners, was enthusiastic about Mr. Neely's idea of having the police round up the "idle" and ship them back to the farms. The word "idle" was no doubt a slip of the tongue. Mr. McNeal and Mr. Neely didn't mean the "idle" wives of the bankers sitting in on bridge games; nor the "idle" sons of the big factory owners playing about on the golf courses. He just meant people who were "idle" because all the factories in Atlanta had turned them away.

"Insurrectionary Literature."

The Unemployment Council got up a leaflet—which was later the name of "insurrectionary literature," and presented to the grand jury as one of the reasons why I should serve 18 to 20 years on the chain-gang. Here is the leaflet:

"WORKERS OF ATLANTA!
"Employed and Unemployed
Negro and White
Attention!

"Men and Women of Atlanta:

"Thousands of us, together with our families, are at this time facing starvation and misery and are to be thrown out of our houses because the miserable charity handout that some of us were getting has been stopped! Hundreds of thousands of dollars has been collected from the workers in this city for relief for the unemployed, and most of it has been squandered in high salaries for the heads of these relief agencies.

"Mr. T. K. Glenn, president of the Community Chest, is reported to be getting a salary of $10,000 a year. Mr. Frank Neely, executive director of the Community Chest, told the County Commission Saturday that he gets $6,500 a year while at the same time no worker, no matter how big his family, gets more than two dollars and a half weekly to live on. If we count the salaries paid the secretaries and the investigators working in the 38 relief stations in this city, it should not surprise us that the money for relief was used up and there is no more left to keep us from starvation. If we allow ourselves to starve while fakers grow fat off our misery, it will be our own fault.

"The bosses want us to starve peacefully and by this method save the money they have accumulated off of our sweat and blood. We must force them to continue our relief and give more help. We must not allow them to stall us any longer with fake promises. The city and county authorities from the money they have already collected from us in taxes, and by taxing the incomes of the bankers and other rich capitalists an take care of every unemployed family in Atlanta. We must make them do it.

"At a meeting of the county commissioners last Saturday it was proposed by Walter S. McNeal, Jr., to have the police round up all unemployed workers and their families and ship them back to the farms and make them work for just board and no wages, while just a few months ago these hypocrites were talking about forced labor in Soviet Russia, a country where there is no starvation and where the workers rule! Are we going to let them force us into slavery?

"At this meeting, Mr. Hendrix said that there were no starving families in Atlanta, that if there is he has not seen any. Let's all of us, white and Negroes, together with out women folk and children go to his office in the county courthouse on Pryor and Hunter streets Thursday morning at 10 o'clock and show this faker that there is plenty of suffering in the city of Atlanta and demand that he give us immediate relief! Organize and fight for unemployment insurance at the expense of the government and the bosses! Demand immediate payment of the bonus to the ex-service men. Don't forget thursday morning, at the County Courthouse.

"Issued by the Unemployed Committee of Atlanta, P. O. Box 339."

Cops Get A Shock."

The call was for June 30, and on that morning the Atlanta cops got the surprise of their life. One thousand white and Negro men, women and children gathered in front of the county courthouse and walked up to the fourth floor and demanded to see the commissioners. The workers showed a new spirit that day. When one of the cops approached a worker and said: "We're going to ship you all back to the farm to work for your keep," the worker answered: "I know two who arn't going." The cop wanted to know who they were, and this is the answer he got: "Me, and you if you come after me." The cop backed off and said he was only fooling.

The next day the county commission voted $6,000 additional relief for the jobless. And eleven days after that—during which the police were keeping a sharp eye on Box 339 at the post office—I was arrested as I went there to get my mail.

That was how the "insurrection" case started—because we were hungry.

Through the Terror in Atlanta Rises the Mighty Movement For Angelo Herndon's Freedom

By MARY MACK

Fortunately, I was alone when he came into the place where I am employed. "Are you," he questioned, "Mary Mack?" And when I nodded my head in affirmation he continued: "I'm from the New Masses."

My heart leaped. A comrade! But instantly, caution raised the ugly thought: perhaps another of Hearst's sneaking spies, of whom the South, particularly Atlanta, has been full. My eyebrows went up disdainfully. In the coldest tone that I could muster, I asked: "And what does the New Masses have to do with me?"

He looked at me intently for a moment, and then, understandingly, he began to smile. "Your cousin sent me here," he explained. "You see, I want to borrow your typewriter."

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I began to thaw a bit. The cousin angle seemed logical — but still, I wasn't sure. How well we know: one misstep, one slight case of mistaken identity meant the jeopardy of the working class movement in Atlanta. It would precipitate the ruthless, terroristic brutal crushing of the links in the chain we are so painstakingly forging at the price of many sacrifices.

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I surreptitiously look around the audience. With delight I see that many Negroes braved the weather to attend. A young woman on the front spectator row is taking notes.

Major J. Walter LeCraw, prosecutor, is talking and now he and Mr. Sutherland are arguing about the admission of certain evidence. Angelo shifts in his seat. He turns his head for a brief glimpse of the audience. I shout to him with my heart: We, your comrades, are here. Never will we forsake you!

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Labor - 1935

Unions, Strikes, etc.

Georgia

Troops Ready In Georgia Strike

Trouble Feared As Night Riders Spread Terror; 'Gang From Tennessee'

ATLANTA, GA., Jan. 3.—(AP)—Mobilization of troops for duty in the Rossville textile strike area was held up tonight as Judge Claude Porter, of Rome, informed Adjt.-Gen. Lindley Camp the Richmond Hosiery Mill, where disorders were reported, would be shut down until Monday.

The adjutant-general said Judge Porter explained that he had conferred with Sheriff J. C. Keown, of Walker County, who earlier had telegraphed a request for troops, and that it had been decided to "let the situation ride" for the time being.

Sheriff Keown had reported intimidation of mill workers by night riders and described the situation as grave. The chief of police, mayor and city attorney had wired requests for troops to Judge Porter, who presides over the Rome Superior Court Circuit in which Rossville is located, and Gov. Eugene Talmadge announced he would order mobilization of the national guard if the judge concurred in the request.

Guardsmen Stand By.

Companies of guardsmen were ordered to stand in readiness at various points in the State.

Judge Porter communicated with the State military department after conferring with Sheriff Keown and others in touch with the situation at Rossville late today. Before the announcement that the situation would be let "ride," he said, "I am a little hesitant about substituting martial law for civil authority and need some additional information before I can recommend the use of troops."

Sheriff Keown had described the situation as "worse than the strike last September." He said a band of masked men was threatening workers who remained at their posts. Only a small percentage of the 1,200 employes stayed on their jobs, he added.

A large number of workers and sympathizers congregated on the streets at Rossville today, the sheriff reported, adding "there is a great deal of resentment on the part of the people regarding the night riders. The parties who are being waited upon by the night riders are afraid to give out information on which I can act."

Terrorists Invade Town.

He said he believed from 40 to 50 night riders were calling at the homes of workers and declared "fully 95 per cent of the people in the mill really want to work but there is a rough-neck crowd, and I mean rough-neck, which is calling on these people and threatening them to try to keep them from going to work."

"The majority of these people are from Tennessee—the State line is only 40 or 50 steps from here and it is no trouble for them to sneak over here at night," he added.

The sheriff said he had a full force of 15 deputies on the job, but he did not believe they could cope with the situation. He said the night riders had made threats of taking mill workers for a ride, and he looked for a showdown "by tomorrow morning."

The decision of the mill to shut down until Monday, it was intimated, appeared to at least have delayed the "showdown."

Negro Communist's Case Starts To Supreme Court

ATLANTA, Jan. 2.—(AP)—The case of Angelo Herndon, negro communist under sentence of eight to 20 years for alleged efforts to incite a revolution, was on its way to the Supreme Court of the United States today for a decision.

GUARD MOBILIZING FOR STRIKE DUTY IN ROSSVILLE AREA

Hosiery Mill Plans To Reopen Monday and Judge Porter Wires Governor Request for State Troops.

TRUCKS ORDERED FOR TRANSPORT

Adjutant-General's 'Flying Squadron' Among Units Expected To Move Tonight or Monday.

ROSSVILLE, Ga., Jan. 5.—(AP)—Fear of violence in the hosiery mill strike here, tonight found national guardsmen being mobilized to move into Rossville as the Richmond mill planned to open Monday with new workers replacing those who fail to return to their machines.

This small town is at the border of Tennessee and Georgia and this was one factor which led Superior Judge Claude Porter to request Governor Eugene Talmadge to provide national guardsmen.

Advertisements appeared in Chattanooga (Tenn.) papers today for workers to replace former employes in the Richmond plant. The advertisements were for boarders, knitters and inexperienced persons.

Officials of the mills said they planned to resume full operations in the main plant, but the Arrowhead mill, which is the full-fashioned unit on the Tennessee side of the state line, will remain closed. The Arrowhead plant has been shut down since before the recent wage reduction was posted. It was this cut that led to the strike in the main plant.

Sending of troops to Rossville has been talked for several days, ever since Sheriff J. C. Keown, of Walker county, had described the situation as "grave" and charged night riders were intimidating workers by calling at their homes.

Sheriff Keown joined with the mayor of Rossville previously in asking for troops and Governor Talmadge informed them he would not dispatch guardsmen until Judge Porter requested them.

Telegram to Governor.

The judge today made his request in the following telegram to the governor:

"Situation in Rossville has become progressively more serious. Richmond Hosiery Mill advises me it will open Monday employing new help to take the place of any absentees.

"Under these conditions I believe violence beyond ability of civil authorities to control will occur. Proximity of state line makes situation more grave than otherwise would exist.

"To avoid violence and prevent personal injury and destruction of property I recommend that state troops be placed at Rossville before the opening Monday."

Governor Talmadge, at the state capitol in Atlanta, said he had received the message from Judge Porter, but declined comment.

Mill Picketed.

Pickets have been at the mill daily and their spokesmen said only a few workers were entering the mill, which has sought to run even with a skeleton force.

The men were called out last week by textile union officials in a wage dispute with the mill.

Adjutant General Lindley Camp, head of the Georgia national guard in Atlanta declined to discuss plans, but it was known a fleet of guard trucks at Savannah and Swainsboro had been ordered to be ready to move to various points and pick up guardsmen for duty here.

"Troop movements and military matters must, as a matter of necessity, be kept secret," the adjutant general said. "I am sorry I am in no position to discuss the situation at this time."

Included in the troop outfits is Camp's "Flying Squadron," which played so prominent a part in Georgia's strike situation during the national textile walkout last year.

It was the squadron which raced about over the state and took charge of situations when it appeared trouble was brewing. On one occasion the squadron arrested a number of strikers and they were brought to a military camp here and detained until the situation cleared.

Atlanta Rendezvous.

Atlanta was indicated as the rendezvous for troops with movement into the strike area before daybreak Monday aboard a fleet of trucks from Savannah and Swainsboro. National guardsmen at these points previously had been warned to stand ready for transport duty.

In addition, it was understood, the service company at Macon, Company B at Barnesville, would be called upon to lend the special Atlanta unit a hand in controlling the situation. The Atlanta unit has had special instruction in the use of tear gas and carries machine guns as a part of its equipment.

PICKETS RETURN AND TENSENESS GRIPS ROSSVILLE

Serious Trouble Is Feared As One Is Caught Tossing Brick At Mill

TRUCK FIRED ON FROM AMBUSH; NONE IS HURT

ROSSVILLE, GA., Jan. 16. — (AP) — Tenseness again prevailed at the Richmond Hosiery Mills today as pickets returned to the mill gates shortly after 350 Georgia national guardsmen who had been on strike duty here returned to their homes.

One picket was arrested by special deputies after he had thrown a brick at the mill. He was taken to jail at LaFayette and charged with disorderly conduct.

Mill officials reported that a truck which was bringing cloth to the company's plant at Dalton, Tenn., had been fired on from ambush but that no one had been hurt.

Fifty or more pickets returned to duty soon after the troops had left Rossville, and the crowd of picketing strikers steadily increased during the day.

Although William Frazier, head of the Hosiery Workers Union here, said he had warned the pickets against blocking the sidewalks in front of the mill and against any form of violence, officers expressed the belief that there might be trouble, especially when mill shifts change.

Frazier predicted that other workers would join the strike since the guardsmen had been withdrawn.

Some of the 33 men who were arrested by troops for alleged participation in strike disorders and who were held in Atlanta for several days were seen among the pickets. They had been released yesterday by Col. L. C. Pope, commander of the troops, with the instructions to be good citizens and not to interfere with troops on duty.

Police and sheriff's deputies patrolled the area to keep order. Twenty-five special deputies also were on duty.

Mill officials reported that the plant was operating full force and that all its 550 machines were running.

Meanwhile, no settlement had been reached of the dispute between operators and striking union workers over the wage scale.

The troops had been on duty here since Jan. 6.

'Barbarity' Charged To National Guardsmen

ATLANTA, GA., Jan. 16.—(AP)—"Barbarous" treatment by Georgia national guardsmen of Rossville military prisoners held for several days in a detention camp here was charged today by two labor leaders.

In a communication to President William Green of the American Federation of Labor, George L. Googe, the Federation's Southern representative, and John W. Edelman, representing the American Federation of Hosiery Workers, broadly intimated that court action would be brought against Georgia National Guard officials for alleged illegal arrest of the former prisoners.

Googe and Edelman said that guard officers made every effort "to terrorize the strikers before their release into signing papers agreeing not to sue the State." None of the prisoners waived his "rights to secure legal redress," the labor leaders said.

They charged that many of the prisoners were ill "because of barbarous and wretched treatment while under detention" and that when released the strikers were verminous as a result of the filthy conditions in their quarters.

Other charges were made that no towels and soap were issued the prisoners for three days and that letters written by them to their families have not been delivered.

"The whole episode sounds like the barbarities of Hitler's terrorists rather than part of American justice," the communication said.

HALT COMMUNISM, URGES DR. DODD IN ADDRESS HERE

Communism must be stopped in America by Christianity, as it has been stopped in all the other countries of the world where it has attempted to gain power, Dr. M. E. Dodd, president of the Southern Baptist conference told a large audience at the Druid Hills church.

He told of his experiences on his 32,000-mile trip around the world from which he recently returned, and spoke enthusiastically of Atlanta's achievement in bringing the next world congress of Baptists to this city.

"It will be the biggest thing in the south in the next five years, and it will center the attention of the world on this city," he said.

Dr. Dodd left Atlanta Saturday night for his home in Shreveport, La.

BANNING THE "ISMS"

There will be universal approval of the recommendation of the congressional committee that has for more than a year been investigating radicalism in the United States that legislation be enacted making it unlawful "to advocate changes in a manner that incites to the overthrow, destruction, by force and violence, of the government of the United States."

Through ignorance of conditions, or willful refusal to consider the threat to the future peace of the nation, misguided Americans have protested, in the name of free speech, the efforts to suppress the activities of communists and other radicals.

There can be no dispute with the belief that new and sound theories of government should be given serious consideration by the leaders of public opinion in the United States, and that such progressive suggestions have a proper place in the curriculum of our educational institutions.

But this does not mean that the ignorant masses and the still immature minds of college students should be made the trying ground for subversive "isms" born in the warped minds of destructive radicals.

The propaganda issued by these radicals is insiduous in nature and addresses its appeal to ignorance, prejudice and passion. Only evil can come from exposing the young and the ignorant element of our population to the destructive influence of such literature.

The congressional committee cites that, despite the pledge of the Russian government to stop communist activities in the United States, the communist international at a meeting in Moscow shortly after the pledge was made, advocated "the bringing about by force a change in the social or political order of the whole, or any part, of the United States, its territories or possessions."

The committee further reports widespread nazi activities in America, financed to a large degree, as has been the communist movement, from Europe. It warns, therefore, that while there is "not immediate danger, there must be protective action."

Atlanta is fortunate in that its peace officers and courts have already followed this advice in the prompt arrest and conviction of those attempting to preach seditious and violent doctrines, and that Solicitor-General Boykin has urged the enactment of new and rigidly restrictive legislation bearing on the activities of radicals who would destroy the American form of government. The bill prepared by Mr. Boykin for the Fulton county delegation is now pending in the legislature.

The legislature in the consideration of this bill should bear in mind that to suppress the activities of those who would destroy our tenets of government by force and violence is no more an abrogation of free speech than to prohibit the circulation of immoral literature, which is done by both the federal and state governments and to which there is universal agreement.

There is no good reason why the ignorant and the young of America should be submitted to the destructive influence of a doctrine like communism which, manifestly, must pass in time, as it is already passing in Russia, where property ownership is again becoming possible and the bread cards have disappeared.

The congress should act upon the suggestion of its committee, and the federal laws should be backed up by state laws similar to the one now pending in the Georgia general assembly.

Supreme Court Gets Herndon Appeal Brief

Increased Protest Is Urged Against Illegal Arrest and Jailing

The brief in the appeal to the United States Supreme Court against the lynch-verdict of 18 to 20 years on the Georgia chain-gang for Angelo Herndon, young Negro leader of the unemployed, has been filed with that court, it was announced by the International Labor Defense, which is in charge of the case.

Prepared by Whitney North Seymour, noted constitutional attorney, the brief raises the entire question of the constitutionality of the Georgia slave-law of 1861, against "inciting insurrection" under which Herndon was convicted for organizing white and Negro unemployed together.

The brief also challenges the application of the statute in this case, as a retriction of the liberty of speech and assembly supposedly guaranteed by the Fourteenth Amendment.

The entire history of the Herndon case, from the time when he organized the demonstration which forced the Atlanta authorities to make a $3,000 appropriation for relief after they had cut off all relief for the unemployed, is reviewed in the brief. The illegal arrest and detention of Herndon is also described, and the maneuvers which authorities went through to ensure sending this young Negro to the dreaded tortures of the Georgia chain-gang.

Tracing also the history of the infamous "insurrection" law used against Herndon, the brief shows its origin in a law of 1804, passed against possible slave insurrections, its inclusion in the Penal Codes of 1833 and 1861, and its revision, which left it substantially as it was before, in 1866, after the Civil War.

No date has been set for the hearing on the Herndon case by the United States Supreme Court. Associated with Mr. Seymour in the preparation of the brief are Walter Gellhorn, Herbert T. Wechsler, and Carol King.

Intensification of protest to the United States Supreme Court against the Herndon conviction, demanding its reversal, in which the court has the power to free Herndon, was called for by Anna Damon, acting national secretary of the International Labor Defense, simultaneously with the filing of the brief.

Georgia House Passes Anti-Sedition Bill

ATLANTA, Ga.—An anti sedition bill making it a crime to speak, write, or otherwise encourage sentiment intended to undermine democratic government, was passed by the Georgia house, last week, with a penalty of from one to ten years in prison, is in the hands of the Senate.

Possession of five copies of seditious literature is accepted as evidence the possessor is circularint it. News articles, cartoons, pictures, and other visible means of exciting sedition are barred.

Atlanta Journal
April 2, 1935

Herndon Bases Plea On Point Not Cited In Scottsboro Case

The bitterly contested case of Angelo Herndon, alleged negro Communist under sentence of from ten to twenty years on conviction of inciting insurrection, will come before the United States Supreme Court some time this month, but it will not involve the point on which the Scottsboro case was reversed, it was pointed out Tuesday by Walter Le Craw, who expects to represent the state before the Supreme Court.

The Scottsboro case was reversed by the Supreme Court Monday on the ground that negroes were excluded from trial juries. In the Herndon case, however, according to Mr. Le Craw, the appeal to the Supreme Court is based on the fourteenth amendment guaranteeing free speech and the right of assembly.

Mr. LeCraw pointed out Tuesday that at the time Herndon was being tried, a negro was serving on a jury in a Civil Court in Fulton County. Motion to quash the indictment against Herndon on the ground that men of his race were not permitted to serve on juries was overruled by Judge Lee B. Wyatt, of LaGrange, who heard testimony from the judge who drew the juries, the chairman of the county jury commission, and others that such was not the case.

The Herndon case has been contested for several years, having been taken up by organizations which conducted the battle for the Scottsboro negroes.

Herndon Case Hearing Today

The fight for the freedom of Angelo Herndon, young Negro organizer sentenced to the chain-gang, will come before the U. S. Supreme Court today. Whitney North Seymour has been retained by the International Labor Defense, to present the argument. Herndon will be present in court.

The I. L. D. is fighting in the Herndon case against the very existence of the statute under which Herndon was sentenced to serve eighteen to twenty years on the chain-gang. It is challenging the constitutionality of the statute, which is based on an old Georgia law passed in pre-civil war days, and designed to crush slave insurrections.

Led Demonstration

Almost three years ago Angelo Herndon, then only 19 years old, led the jobless workers of Atlanta, white and Negro, in a demonstration before the County Courthouse. The demonstration resulted in an emergency appropriation of $6,000 for immediate relief.

A few days later Herndon was arrested, thrown into Fulton Tower Prison, and indicted under the old slave insurrection law. He was convicted by an all-white jury, and sentenced to spend eighteen to twenty years of his life on the chain-gang. In reality, of course, this was a death sentence. No man can live for eighteen years on the chain-gang.

After Herndon had spent twenty-six terrible months in Fulton Tower Prison, the authorities agreed to set bail for him—at $15,000! The sum, much to the surprise and chagrin of the Georgia officials, was raised, penny by penny and dollar by dollar, by a campaign conducted by the International Labor Defense.

The next few days are crucial ones in the fight for Herndon's release. Along with the freedom of this splendid young fighter, there is at stake the right of the Negro and white workers to organize together, there is at stake the most elementary rights of the Negro people. A flood of protests from hundreds of individuals and organizations, to the U. S. Supreme Court in Washington, within the next few days, will do much toward forcing this court to make the right decision.

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MY COUNTRY 'TIS OF THEE

Planet

The United States Supreme Court on Monday upheld a judgement which is unsurpassed in hideousness and barbarity. When the highest tribunal in "this land of the free" decreed that Angelo Herndon should spend the remainder of his life in the living hell of a Georgia chain gang, justice became a mockery.

So revolting and hideous is the whole business that one chokes when requested to sing "My Country, 'Tis of Thee."

The martyrdom of this Negro boy stands shoulder high with that of Ridley and Latimer in England. His calm defiance of his prosecutors rings out ominously.

6-1-35

"Do with me as you will, there are thousands more to take my place" bears a striking resemblance to those words spoken courageously by the English martyr's "A fire is this day kindled in England which can never be extinguished."

Richmond Va.

Herndon's crime was having books in his possession which can be found in any library in this country. The state of Georgia did not claim that he committed any act of violence or offended the person or property of a single individual. And still, the Supreme Court of the United States, dodging behind a legal technicality, allows unspeakable Georgia to practice this wanton tyranny and oppression upon an unoffending American citizen.

Hitler and Stalin are pikers when compared to Georgia crackers, and their liquidations of rebellions becomes pink tea affairs when compared with methods used in this "Sweet land of liberty."

TROUBLE MAKERS!

A vicious and prejudiced pamphlet, bearing the title "Can Guns Settle Strikes?" and described as "a study of violent aspects of the 1934 textile strike in three southern states," is being distributed throughout the country by a New York organization which calls itself "The Fellowship of Reconciliation." So general is its circulation that copies have even been introduced into the Atlanta public schools.

Constitution

6-7-35

Although the document is published in New York, its foreword is signed by Will W. Alexander, executive director of the commission on interracial co-operation, George L. Goode, southern representative of the American Federation of Labor; W. Aiken Smart, Emory University, all of Atlanta, and Frank P. Graham, president of the University of North Carolina, and E. McNeal Poteat Jr., pastor of the Pullen Memorial Baptist church of Raleigh, N. C.

The document itself is a deliberately misleading appeal to ignorance and prejudice. Under the guise of being a fair recital of the developments and the underlying facts of the textile strike it is a one-sided presentation intended to mislead but lacking the cleverness to conceal its real purpose.

It condemns the action of southern governors in calling out troops to prevent violence, but justifies the activities of the "flying squadrons" that spread terror in numerous mill communities in the effort to prevent, by violence and intimidation, men and women who wanted to work from doing so.

Certainly no strike should be settled by force—but if force is resorted to, to prevent men and women from working, their right to earn a living should be guarded. Were it otherwise, government would become a mockery.

The document is a savage attack on Governor Talmadge and the other southern governors who called out the militia to put an end to the forays of the "flying squadrons" and to suppress other violence—but no reference is made to the fact that in each instance the troops were mobilized at the urgent appeal of county peace officers, judges, private citizens and others who felt that the forces of intimidation were beyond local control.

In his statement issued before he mobilized the Georgia guard, Governor Talmadge said:

When any citizen of Georgia wants to work, they have an inalienable right, guaranteed by the constitution, to do so.

Violations in the textile industry will decrease the price of cotton, unless it is stopped.

I want the flying squadrons in Georgia to stop. I want all violence and intimidation, carrying arms, big sticks and baseball bats to stop.

I do not want anyone in Georgia interfering with those who want to work.

I hope that it will not be necessary for me to call out the national guard, but the right to work in Georgia will be protected.

Certainly this is a fair and just doctrine.

Any individual, or any organized group of individuals, who do not want to work have the right to strike. They should be protected in that right and any governor who failed to do so would be derelict in his duty.

Likewise the same protection should be extended to those who want to work but whose lives and property are threatened by those who have exercised their right to quit work, but who refuse equal freedom of decision to those who want to work.

The honest, decent solution of the problem lies in a mutual recognition of the inalienable right of a man to quit work if he wants to, or to work without molestation if that is his will.

Because this principle was not recognized by the "flying squadrons" during the textile strike it was necessary for the governors of three southern states to call out the national guard in order to suppress violence.

The bald misstatement of fact and the distortion of truth in the pamphlet originating in New York can do harm among those ignorant of the real facts.

It will be interesting to know by just what authority propaganda documents of this nature, presenting only one side of a vitally important problem, and issued from outside sources, is being permitted to be circulated among the public schools of Atlanta.

There are two sides to every question and certainly the public schools should not be used for propaganda purposes.

It is a dangerous precedent!

And those responsible for the circulation of this document are trouble makers.

Angelo Herndon Is Granted Stay

Telegraph

Negro Communist Will Be Allowed Freedom on Bail

6-13-35

WASHINGTON, June 12 (AP)—Angelo Herndon, Negro Communist, convicted at Atlanta of violating a Georgia statute by attempting to incite insurrection, may not be committed to prison next week to serve a sentence of from 18 to 20 years.

Supreme Court Justice Owen J. Roberts, at his home in Pennsylvania, has granted a stay permitting Herndon to remain at liberty under bail provided he files a petition for rehearing within the time allowed by the court's rules.

Should the petition for rehearing be filed by the end of this week, when the itme for filing will expire, Herndon cannot be committed to prison pending action on the petition by the Supreme Court at its next term beginning in October.

Herndon was arrested in Atlanta in July, 1932, and was convicted on a charge of attempting to incite insurrection in violation of the laws of Georgia.

Herndon's appeal from the Georgia Supreme Court, which sustained the sentence imposed on him, was dismissed by the United States Supreme Court on May 20 last for want of jurisdiction.

ANGELO HERNDON GETS STAY FOR REHEARING

Constitution

Supreme Court Justice Permits Liberty Under Bail If Negro Files Petition.

6-13-35

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Herndon was arrested in Atlanta in July, 1932, and was convicted on a charge of attempting to incite insurrection in violation of the laws of Georgia.

In his possession was found communist propaganda advocating, it was asserted, equal political and economic rights of negroes," "self-determination for the black belt" punishment for lynchers, the disbandment of military forces, strikes and boycotts. Herndon is charged with having made numerous communist speeches.

Herndon's appeal from the Georgia supreme court which sustained the sentence imposed on him was dismissed by the United States supreme court on May 20 last for want of jurisdiction.

Pickets Make Herndon Demands to High Court

Negro and White Workers and Noted Individuals Present Petition in Capital Despite Police Who Tear Up Pickets' Placards

(Daily Worker Washington Bureau)

WASHINGTON, June 5.—The United States Supreme Court today had before it a petition by Negro and white workers and prominent citizens for a "stay of execution, a rehearing of the case and complete freedom for Angelo Herndon"—despite the fact that picketers accompanying the petitioners had their placards brusquely torn from them by police.

Frank Green, the perspiring, frock-tailed Marshal of the Court, received the demonstrators' written petition.

The demonstrtors never got beyond the Marshal's ente-room.

Herndon, the heroic young Negro sentenced to living death on the chain gang for leading Negro and white unemployed, addressed a mass meeting here on Sunday. A large audience responded to his declaration that the unprecedented punishment meted out to him carries a fascist threat to the free speech right of all workers.

Pickets' Placards Torn

Capitol guards with pistols gleaming in their holsters and the ever present District of Columbia "Red Squad," the police swept down on the dozen or so pickets as the latter set foot on the spacious Capitol grounds. The pickets were following, at a short distance, the Negro and white delegation elected by the Citizens Committee for the Defense of Angelo Herndon.

"Herndon jailed for demanding bread; demand his freedom!" read one of the signs held in front of them by the marching pickets. Others: "Free Angelo Herndon!" "Abolish vicious anti-labor laws," and "Unity of all workers will free Angelo Herndon."

Outnumbering the demonstrators, the cops rushed forward from all sides, tore the placards from the pickets' hands, and shredded them.

Form Permanent Body

Union, student, social, cultural and religious organization representatives and sympathetic individuals from New York and Washington joined in the demonstration. They decided later to form a permanent citizens defense committee. Washingtonians participating in and sponsoring the action included:

Gardner Jackson, journalist turned out in the recent "purge" of A.A.A. liberals; Dorothy Detzer of the Women's International League for Peace and Freedom; Madame Lillian Levanti, famous Negro soprano who last year sang in the White House at the invitation of President and Mrs. Roosevelt: Mr. and Mrs. Charles Edward Russell, Socialist Party; Will Arnheim, member of the Laborers Union of the A. F. of L.; Bernice McDonald, member Washington local, Laundry Workers Union of the A. F. of L.; H. Fitzhugh, representing the New Negro Alliance; Mrs. Mary Jones of the Unemployment Council; Mrs. Mildred Egan, Mrs. George A. Plummer and Mrs. S. Ross, I.L.D.; Gertrude Thorpe, representing the Communist Party; Mrs. Z. Bender, George Murphy, Jr., Washington editor of The Afro-American; Ballford Lawson, Jr., member Negro Bar Association; P. H. Harris, representing the Tennessee Civic Club; Mrs. Lecher, representing the Phillis Wheatley club of the Y.W.C.A.; Mr. Taylor, of the Negro Industrial Club; and Mrs. Ethel Cohen, member of the Socialist Party. Dr. Joseph Nicholson, formerly of the Howard University dental clinic, is secretary of the committee.

New Yorkers Present

The New Yorkers were: James Ashford, Young Liberators of Harlem; George Edmund Haynes, Jr. son of the Federal Council of Churches official; Betty Rothenberg, vice-president of the Politics Club of the New York university evening school and leader of 1,500 in the recent students' anti-war strike; Milton Herndon, brother of Angelo Herndon and representative of the Harlem I.L.D.; Francis Wing and Lucy Graves, representing the Six O'clock Circle of the St. James Presbyterian Church; and Mrs. Helen Kloss, honorary member of the Politics Club.

Only two of the seven were allowed to enter the Marshal's anteroom. After a long wait, he appeared to face the spokesmen. While court attendants salaamed to the gentry passing in to the courtroom, the demonstrators' spokesmen asked to see the Chief Justice or any of the court. The Marshal refused saying an appointment was necessary. This had been sought, the spokemen explained, sought by telephone, letter and telegram. Again the Marshal sweatingly said, "No." But he received the written petition.

HERNDON PLEA FILED FOR SUPREME COURT

WASHINGTON, June 13.—(AP)—Angelo Herndon, negro communist, through his attorney, Whitney North Seymour, of New York, today petitioned the supreme court to reconsider its recent dismissal of his appeal from conviction in Georgia courts on a charge of inciting to insurrection.

Herndon is under sentence to imprisonment for from 18 to 20 years but is at liberty on bail, pending a supreme court ruling next fall of his petition for rehearing.

His petition filed today pointed out that the appeal was dismissed for want of jurisdiction and that the court did not pass on the constitutionality of the Georgia statute under which he was convicted. It contended the high court was wrong in its conclusion that the question of constitutionality was not raised at the earliest possible moment, asserting it was brought in "at the first opportunity."

Three Members of Congress Demand Freedom for Herndon

With three members of Congress adding their voices to the protest against the twenty-year chain-gang sentence given to Angelo Herndon in Georgia; with a number of influential national organizations adding their names to the list of those sponsoring the drive for two million signatures to a petition for Herndon's freedom, and with new facts constantly coming to light about the horrors and brutalities of the chain-gang, the campaign for the liberation of Herndon took on new momentum during the last few days.

Congressmen Thomas R. Amlie of Wisconsin, Vito Marcantonio of New York and J. H. Hoeppel of California signed the petition to Governor Eugene Talmadge asking Herndon's freedom and asking also the repeal of the Georgia "slave insurrection" law on which he was indicted.

From Dr. Mary F. Waring, president of the National Association of Colored Women, came a letter pledging the support of her organization to the fight for Herndon's liberation. "Herndon is a pioneer in the struggle for the establishment of the rights of Colored American citizens," Dr. Waring wrote. "I heartily endorse all efforts for his defense. We represent more than 30,000 women."

The Denver branch of the National Association for the Advancement of Colored People has arranged a mass meeting for Herndon, to take place July 29, in the Peoples Presbyterian Church at 23rd and Washington Streets. The same organizataion is arranging a public dinner for Herndon on July 28, at the local Negro Y. M. C. A.

The Herndon Stay

THE execution of the sentence which condemns Angelo Herndon to spend 18 to 20 years on the barbarous Georgia chain-gang—for the "crime" of leading white and Negro workers to the authorities to demand bread—has again been stayed, for a short time.

The International Labor Defense is now preparing to fire the opening gun in one of the most intensive campaigns it has ever undertaken—the gathering of two million signatures on a petition to be presented to the Governor of Georgia. This petition will demand Herndon's freedom. It will demand also that the law under which Herndon was indicted—a law of pre-Civil War days, designed to crush slave uprisings—be wiped off the Georgia statute books. Under this law, 18 other people, white and Negro, are now under indictment and awaiting trial.

The time in which two million signatures must be gathered is very short. Not a moment can be lost. Two million signatures will cause the Governor of Georgia to think very seriously before condemning Angelo Herndon to slow death on the chain gang.

Herndon Can Be Saved!

IN six short days Angelo Herndon must surrender to serve a sentence of eighteen to twenty years on the Georgia chain-gang.

The hands of the lynchers, itching for three years, will close around this heroic young Negro leader, unless—

The power of the mighty working class organized in nation-wide protest and support of legal moves forces the State of Georgia to release him.

Send your demand, the demand of your trade union and mass organization, for the unconditional freedom of Angelo Herndon, to Governor Eugene Talmadge of Georgia.

Rush funds to carry on the legal and mass campaign to the International Labor Defense, 80 East 11th Street, New York City.

Georgia

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'Wisdom, Justice, and Moderation,' Motto of the State of Georgia

WISDOM, JUSTICE, MODERATION—The Case of Angelo Herndon, 16 pages. Published by: Joint Committee to Aid Herndon Defense, constituted by General Defense Committee (IWW), International Labor Defense, League for Industrial Democracy, League of Struggle for Negro Rights, National Committee for the Defense of Political Prisoners, Non-Partisan Labor Defense. Price: 2 cents.

Reviewed by
ALFRED H. HIRSCH
(Secretary, National Committee for the Defense of Political Prisoners)

FEW people know that "Wisdom, Justice, Moderation," the title of this pamphlet on Angelo Herndon, is the motto of the State of Georgia. After readers of the Daily Worker, already well acquainted with the facts of the Herndon case, have read this pamphlet, the irony of its title will become even more apparent to them.

For there are two outstanding accomplishments of this pamphlet.

First, it recounts all cases which have come up under Georgia's insurrection law since 1869 and gives us an idea of the varied groups which have rallied to combat it. Secondly, it demonstrates, once and for all, that on an issue like the Herndon case, a united front of organizations of different outlooks, such as those issuing the pamphlet, can be brought about, and gives us hope that ever wider groups will work together increasingly as time goes on.

We learn that "in 1869 a Negro preacher was charged with inciting his congregation to release a man from prison." He was convicted but the Georgia Supreme Court reversed.

Slave Law Revived

From that time until 1930, sixty years, this ancient slave law was not invoked. Then, suddenly, came the "Atlanta Six," all of whom are still under indictment. The next year, 1931, saw the arrest of Edwin Hill, Socialist and a weaver in the Atlanta Woolen Mills. Charges against him were later dropped.

1932—Angelo Herndon—Convicted in January, 1933. This is the only one of the cases to have been brought to trial.

ANGELO HERNDON

There were no arrests in 1933, but in 1934 fourteen were seized by the police. Five of these have been freed. The cases against Annio Mao Leathers and Loah Young, arising during the 1934 textile strike, are pending as are those charging participants in a meeting of the International Workers Order with "insurrection."

This year the offices of the Urban League and the Negro Y. M. C. A. were raided in a search for "Communist organizers," and the League for Industrial Democracy was denied the use of a church for meetings because it refused to segregate Negroes. Only after repeated threats had been withstood were the American Friends Service (Quakers) and the Fellowship of Reconciliation able to organize an institute of international relations last June.

Southern Liberals Protest

That Atlanta liberals and organized labor of that city realize the dangers of the "insurrection" law is brought home to us when we read that 61 Atlanta ministers, educators and lawyers signed a statement urging repeal of this law; that the Atlanta Federation of Trades (A. F. of L.) passed a resolution against it; that a Macon (Georgia) newspaper could state (even though in vain, as it turned out) that "The Telegraph hopes that the Supreme Court of this State will substitute common sense for the Bourbonism of the jury that tried Herndon."

Then, turning north, we read a statement by Norman Thomas, editorials from the **New York Post**, the **Nation**, the **New Republic**.

With indications of such support (recently augmented by the issuance on the part of the Federal Council of Churches of a special Information Bulletin on the Herndon case) new ammunition is at hand to free Herndon. So, the pamphlet urges all to sign Herndon petitions, contribute towards the defense.

Its aim is to bring the case soberly before the millions who still do not perceive its significance. By presenting factual material, important background data, it does its job, and does it well.

AWAIT HIGH COURT ORDER FOR HERNDON

Chain Gang Journey Is Stayed Until the Papers Arrive

10-26-35

Angelo Herndon, scheduled to leave for Georgia to begin serving a term of 18 to 20 years on a chain gang Wednesday evening, won a temporary respite when it was discovered that judges of the United States Supreme Court, who recently declined to review his case, had not yet sent a copy of their decision to Georgia officials.

The decision will not be delivered until Monday or later. Until Georgia authorities have it in their hands, they cannot send Herndon to the chain gang.

The twenty-two-year-old radical, arrested four years ago on a charge of inciting to insurrection because he organized a meeting of unemployed workers, was guest of honor and chief speaker at a meeting of 2,000 sympathizers, mostly members of the Communist party and of various unions, held at the Metropolitan Opera House, 34th street near Seventh avenue, Wednesday.

The meeting, scheduled as a "send-off" affair to assure Herndon that he had the backing and support of white and black workers alike, broke into pandemonium when the announcement was made that he would not have to surrender for several days.

Julius Hochman, vice-president of the International Ladies' Garment Workers' Union, who acted as master of ceremonies, said that the moment Herndon is returned to prison a writ of habeas corpus will be asked for on the grounds that he has been denied a review of his case, and that the constitutionality of the old slave insurrection law, under which he was convicted, has never been tested.

Take Jewish Oath.

Hochman spoke briefly, presenting a review of the case and asking the assembled audience to take with him the Jewish oath, "If I turn traitor to the cause I now pledge, may the hand wither from the arm I now raise."

Other speakers included Heywood Broun, who received a tremendous ovation; Rabbi Goldstein of Emmanuel Temple; Dr. John Lovejoy Eliot; Murry Brown, president of the Suitcase, Bag and Portfolio Makers' Union, and Max Walsch, secretary of the New York District of the International Labor Defense.

Herndon was applauded for five minutes when he arose to speak. The audience, 90 per cent of which was white, broke into cheers and finally burst into the Internationale before it allowed him to say aword. Herndon sang with them, holding up his hand in the Communist salute.

The young radical, after extending greetings to all the organizations active in his campaign for freedom, fervently stated his hope that the outcome of his case would be decisive enough to make another such travesty on justice impossible in the future.

"The American working class is in the face of an economic condition that will not be over for many years," he said. "Now is the time—if ever there was a time—to weld together our forces and to prepare ourselves for the fight against the ruling classes.

"As long as we are divided, slave rulers will be able to trample us under foot. When the people of Georgia framed me, it was because they hoped to prevent white and black workers from organizing. If they succeed in this case, they will try the same thing again and again. But if we unite and fight and defeat them some day we may be able to get the real exploiters of the working class and put them where they belong—behind the bars."

Herndon pleaded with the audience to continue its fight in his defense, and to make such an issue of the case that the ruling class of Georgia will be afraid to send him to his death on the chain gang.

"My courage is not broken," he said. "I still have my ideals."

After Herndon's speech a collection was taken, to be added to the defense fund which the Communist party and its affiliated bodies has collected. This collection, together with receipts from an admission charge of 25 cents, swelled the fund by about $1,500.

Angelo Herndon

TO THE EDITORS OF THE NATION:

Readers of *The Nation* will be interested to know that a Joint Committee to Aid the Herndon Defense, with headquarters at 112 East Nineteenth Street, has been formed by the following defense organizations: General Defense Committee (I. W. W.), International Labor Defense, League for Industrial Democracy, League of Struggle for Negro Rights, National Committee for Defense of Political Prisoners, and Non-Partisan Labor Defense. The efforts of this committee are directed to building wide support for the Herndon defense, in the belief that the case concerns not only the freedom of Herndon but the preservation of constitutional liberties.

Although the response to the work of this committee has been immediate and wide, the urgent need of further work is so great that on behalf of the Joint Committee I am writing to ask the help of your readers in the following: (1) the distribution of a factual pamphlet published by this committee (100 for $1.50; $10 a thousand) on the case of Angelo Herndon; (2) the circularization of petitions to Governor Talmadge asking for the freedom of Angelo Herndon; (3) the support of the Herndon Action Conference to be held in New York on Saturday afternoon, October 19, and of meetings sponsored by equally broad committees in other cities.

New York, October 9

MARY FOX,
Secretary-Treasurer

Angelo Herndon

AT ANY moment Angelo Herndon may be called upon to surrender to begin serving his 18 to 20-year term on a Georgia chain gang. Already the lynchers, according to a report broadcast over the radio, have picked for him a chain gang in Lanier county, in turpentine country, the hardest, cruelest, and most remote link in the bestial Georgia chain gang system.

Not only until Angelo Herndon surrenders to the Atlanta authorities, but until his life is saved and he is unconditionally free, the campaign on his behalf must be developed to ever bigger proportions, involving more and more organizations of the toilers.

Continue to sign and circulate the Herndon petitions! Send the demand of your trade union for his freedom to Governor Talmadge, in Atlanta, Ga.

Send funds to support the legal action and mass campaign to the International Labor Defense, Room 610, 80 East 11th Street. New York City.

Herndon Hopes for Freedom To Aid Working Class Fight

Fulton Towers' stone walls have not crushed the spirit of that invincible fighter, Angelo Herndon.

Even at this moment the thought that dominates him is the plight of the Southern workers and the things he could be doing to organize them. Not self-pity but the desire to be out among the workers fills Herndon. With the prospect of death on a chain gang, his spirit is still with his class.

A personal letter from Herndon in Atlanta, just before he surrendered himself to the authorities, to a friend in New York illustrates this fully. Herndon writes in part under date of Oct. 27:

"Am feeling fine and ready to meet my enemies tomorrow.

"Everything is sad and quiet as most Sundays are down South. I wanted to go around and look the place over—but everybody seems to recognize me.

"Although I don't want to be too optimistic I somehow feel that I won't be here very long. It certainly is an awful feeling to witness the miserable plight of the workers here, especially when you can't do anything about it—but I hope the time won't be long before I am busy on the job again.

"My eyes are filled with tears when I think of the things that I could do but must be shut off from life. You can rest assured that this will help to make an even better fighter of me.

"Angelo."

Herndon In Dixie; Gives Himself Up

—BULLETIN—

ATLANTA, Nov. 1. (By Wire) — Angelo Herndon surrendered to Georgia State penal authorities late Monday and was taken to the Fulton County chain-gang there to begin serving sentence of 18 to 20 years. He was convicted on charges of inciting insurrection through distribution of subversive literature.

ATLANTA, Nov. 1.—Outstretched hands of "Georgia Justice" grasped empty space last week as Angelo Herndon, classic figure of embattled communism sidestepped on a five-day stay.

Powerful mass protest of American people in a thousand communities cheated the gaping jaws of America's "Black Hole of Calcutta" when state officials postponed return of the famous communist to October 28. He was scheduled to return on October 24.

Files Writ

Whitney North Seymour, ILD counsel and noted constitutional lawyer, was moving Monday to file a writ of habeas corpus for Herndon's release as soon as the latter stepped inside the prison gates.

This move to gain freedom for Herndon was based upon the decision of the U. S. Supreme Court which refused to consider the merits of Herndon's case. Three justices, it was recalled, dissented from the opinion, exposing the flimsy technicalities used by the majority of the court.

Pardon Sought

Governor Talmadge of Georgia has full power to free Herndon. In a recent interview he said that he would not consider freeing Herndon until after all actions in the courts had been exhausted.

In the case of John Downer, sentenced to die on a framed charge of rape, Gov. Talmadge sent the innocent man to his death after a secret conversation with the alleged victim.

ATLANTA, Ga., Nov. 1—Angelo Herndon, communist martyr, has one last hope of obtaining freedom from the chain gang, that notorious Georgia institution which few men survive. The only appeal from the Supreme court's second refusal on tenchnical grounds to review the Angelo Herndon case is to Governor Eugene Talmadge to pardon Herndon who is sentenced to 18 years on the chain gang for mere possession of radical literature.

It has been pointed out that the governor's veto message last spring of a severe sedition bill and a message backed by the American Legion to bar leftwing parties from the ballot show an encouraging understanding of the importance of civil rights.

Georgia liberals were urged to "unite in a move to repeal the savage slave insurrection law dating back to reconstruction days, under which Herndon was convicted."

Macon, Ga., News
October 23, 1935

GOVERNOR TALMADGE GETS FAN MAIL

Speaking of communists our own Governor Talmadge can tell us a few things about how they work. Several years ago a Negro named Angelo Herndon was hauled into jail, convicted and sentenced to 20 years for inciting an uprising among the Georgia Negroes and urging them to drive the white people from Georgia and set up a southern black republic. Many thousand pamphlets and pieces of literature bearing Herndon's picture were also confiscated.

A few months ago several writers from New York came South and demanded the release of Herndon through a pardon by our governor. To them he only promised due consideration (which by the way hasn't come due yet). So they returned to New York without their colleague, Herndon.

Since the Writers' club of New York visited the Georgia state capitol, Governor Talmadge has received something like 50,000 fan mail letters requesting that he release Angelo Herndon. There were 27,000 letters from Columbia University alone and every day the postman brings in bushels of more letters in behalf of Georgia's Negro communist—and yet "there are lots of folks tell us every day that there ain't no communists."

Atlanta, Ga. Journal
Novemebr 12, 1935

HERNDON HEARING SCHEDULED TODAY

Negro to Make New Challenge of Ancient Insurrection Law

By the Associated Press

Angelo Herndon, Cincinnati negro Communist, was to go to Fulton Superior Court Tuesday afternoon for a habeas corpus hearing in a new challenge of Georgia's ancient insurrection law under which he is sentenced to from fifteen to twenty years on a chain gang.

The state charges Herndon attempted to stir up armed rebellion to create a negro republic from Georgia, Alabama and South Carolina.

Herndon asserts he was only "organizing labor forces."

The negro was convicted in July, 1932, but has yet to wear the shackles of the chain gang.

Herndon has been held in jail or under bond while his case ran the gamut of the courts. Several weeks ago the Supreme Court of the United States declined a review, ruling the issue had not been presented in proper form.

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Georgia
6

How the Campaign for Angelo Herndon Can Be Broadened

By ANNA DAMON
Acting National Secretary, International Labor Defense

PART II

In the first part of this article, we said of the Herndon signature petition campaign: "It is safe to say that the campaign has only begun, and that its growing impetus will speed it up tenfold and more in the next weeks."

This statement is based, of course, on the assumption that the organizations involved, and especially the International Labor Defense, will themselves increase the speed and intensity of their work, will strain every effort to broaden the campaign and develop the united front around it. This means real hard work, along clearly defined, concrete lines of endeavor in every city in the country.

"Free Herndon" Committees

As the campaign develops, new forms of activity and organization will have to be developed with it, and the work among the trade unions must be greatly increased. This is what we must discuss now. In the actual work of collecting signatures in the shops, at meetings, on the streets, etc., we have already gained considerable experience. This will have to be the subject of a special article.

First of all, it is now necessary to form Free Angelo Herndon Committees in every city, to coordinate the work of the campaign. Steps have already been taken in this direction in New York City. The recent Herndon conference in Philadelphia, and the forthcoming conference in Pittsburgh, offer an excellent basis from which to work. But these are only three cities, and only a beginning even in these. The trade unions are still very little involved even here.

These committees should be set up through a conference of all organizations participating in the campaign in each city, with invited representatives from other organizations, and especially from trade unions. Such conferences can be arranged and called within a very short time.

Out of these conferences should come:

1. Concrete plans for broadening the campaign in each city, for penetrating trade unions and other organizations and involving them in the activities.

2. The election of an executive committee which will meet periodically to check up on the work done, and develop further activity.

3. Establishment of quotas of signatures to be collected by each organization, and of funds to be raised for the expense of the campaign.

Specific Actions

4. Specific plans for organization of delegations to visit public officials—Congressmen, Senators, Mayors, Judges, etc.—to secure their signatures to the petitions and endorsement of the campaign.

5. Specific assignments for visiting of trade unions, especially those which have already gone on record in the Mooney, Gallup and Scottsboro campaigns, and those who have in the past been supported by the I. L. D., to involve them in the collection of signatures. Similar assignments in regard to other organizations, churches, fraternal groups, clubs, etc.

6. Plans for united action in the form of meetings and demonstrations demanding the freedom of Herndon, on Oct. 1, when the United States Supreme Court reconvenes, with the application for re-hearing of the Herndon appeal before it.

These actions on Oct. 1 should be planned at once, at informal meetings and conferences initiated by the I.L.D., with the representatives that can be gotten together of the participating organizations. Concrete plans for meetings and demonstrations should be worked out for presentation to the Herndon conferences for endorsement and support.

Check-up on Petitions

7. The executive committee must make all necessary arrangements for the actual turning in of the filled petition-lists, so that a definite check can be made from week to week, both locally and nationally, on the progress of the campaign as measured by the number of signatures received.

The point on finances in the above plan is an important one. Without money, the Herndon campaign cannot go on. The printing of petitions, leaflets, folders and other material, the postage, and other expenses involved, are very high. Along with all plans for activity, plans for financing the campaign, both locally and on a national scale, must be made.

Struggle for Other Victims

Finally, we come to the question of building the International Labor Defense in this campaign. Obtaining of temporary support from individuals and organizations for the Herndon campaign is of extreme importance. But it is not enough. The capitalist terror is increasing daily, and through every campaign the organization of defense and relief to its victims must be built, stronger than ever, to meet the tasks before it.

Collective affiliation to the I.L.D. of the organizations drawn into the Herndon campaign must be a major objective, as well as the all-important recruiting of individual members and building of branches. On the basis of the support gained for the freedom of Angelo Herndon, we must win the support of these organizations and individuals for the defense and relief of the ever-growing numbers of victims of capitalist terror. We can in thousands of cases win such support for the fight to free Tom Mooney, Warren K. Billings, J. B. McNamara, Ernst Thaelmann, the Gallup miners, the Scottsboro boys, the Sacramento prisoners, and the hundreds more of political prisoners in the United States and the fascist and colonial countries. Relief for these prisoners and their families will appeal strongly to those who join the fight for Herndon.

Through the broadest distribution of the Labor Defender, and the literature of the I. L. D., we can stir this interest, and by following it up organizationally we can translate it into action, and into membership—affiliated and individual—in the I. L. D.

During the Herndon tour, and the tour of Donald Burke and the chain-gang cage replica, many individuals have been recruited for the I. L. D. It is necessary to follow up each of these recruits, and see that not a day is lost in bringing them actually into the organizations. This recruiting must be extended, and must become, for every member of the I. L. D., an essential part of his day-to-day work in the Herndon campaign.

5 Herndon Rallies Stopped by Police; Protests Are Urged

Daily Worker
9/17/35

MT. POCONO, Pa., Sept. 16.—Five Herndon rallies scheduled for today in Scranton were stopped by a large mobilization of coal and iron police. The "chain gang" truck, which was to have been exhibited at the meetings to warn workers of the fate awaiting Angelo Herndon if he is sent to the Georgia chain gang, was forced by the police to leave the city.

A wide protest movement is being developed in Scranton and vicinity. Workers throughout the country are urged to send protests to the Mayor and chief of police of Scranton, Pa.

New York Herald-Tribune
NOV 3 1935

A Plea for Angelo Herndon

To the New York Herald Tribune:

Many, perhaps, of your readers, did they know about Angelo Herndon's case, would wish to write to the Governor of Georgia and ask for his pardon.

A hundred and two years ago a law was passed in Georgia punishing with death any one who "incited to insurrection."

It was last invoked in 1868, I believe; with the abolition of slavery, the reason for a law severely punishing a rising for freedom had passed.

Three years ago the authorities of the City of Atlanta suddenly decided to give no more relief to the unemployed. When this news—a decree of starvation, for no other relief was available—reached the city's unemployed, it was a moment of great distress. Angelo Herndon, a young Negro, led a group of white and Negro unemployed to the city offices to beseech the continuance of relief. The group proceeded in peaceable, orderly fashion, made their plea, were kindly listened to and the authorities appropriated $6,000 to continue relief for them. They went quietly home.

A few days later, however, Angelo Herndon was arrested on a charge of "inciting to insurrection" and sentenced (under the law of 1833, unused for sixty-seven years) to eighteen years on the chain gang.

Angelo Herndon is a Communist, but his crime seems to have been that he, a Negro, headed a group containing white personr.

Readers, do you know much about the chain gangs of Georgia? I have often seen them and seen the cages in the forest where they are imprisoned when they are not working, with iron-manacled legs in sand and swamp, under terror of the fearful torture of the "sweatbox" and the "stretch," guarded by guns on the roads of Georgia.

No man, I think, could ever live through eight, much less eighteen, years of this filth, torment and terror.

Will you spend fifteen minutes and a three-cent stamp to ask Governor Talmadge, Atlant.., Ga., to pardon Angelo Herndon?

If you are a Southerner, please mention it, and God reward you.

SARAH CLEGHORN.

Manchester, Vt. Oct. 30, 1935.

Northern Lawyer In Herndon Case

Telegraphs

Whitney North Seymour Arrives to Fight for Negro

11-12-35

ATLANTA, Nov. 11 (AP).—Whitney North Seymour of New York, former assistant United States attorney-general, arrived here today to carry the habeas corpus proceedings of Angelo Herndon, Negro Communist convicted of attempting to incite insurrection, into Fulton superior court tomorrow.

Two Atlanta lawyers, W. A. Sutherland and Elbert P. Tuttle, will appear for Herndon as Seymour's associates.

Herndon's appeal from an 18 to 20 year sentence under an old Georgia law was refused a review in the United States supreme court.

The Negro, who had been at liberty under bond, returned to the Fulton county jail and is held there pending the outcome of his new move for freedom. He has not begun service of the sentence given him, however, pending disposition of litigation over his case.

Concerning Angelo Herndon

Christian Century
11-13-35

EDITOR THE CHRISTIAN CENTURY:

SIR: Most heartily do I concur in your statement that the south should take the lead in asking Governor Talmadge to pardon Angelo Herndon from his chain gang sentence. That this relic of barbarism should be a means of punishment in our fair state for anyone is a source of shame to me. But that this man, condemned for leading a protest at a relief station, should be so punished would be to give the alleged reds a break. The best defense against communism is complete justice to all.

First Baptist Church, Washington, Ga.

DURWARD V. CASON.

HERNDON TO FILE ANOTHER APPEAL

Telegraph

Cincinnati Negro Convicted in Georgia Under Insurrection Law, Seeks Freedom.

11-10-35

ATLANTA, Nov. 9 (AP)—Angelo Herndon, Negro Communist, plans another court effort for reversal of a verdict that he attempted to incite insurrection and set up a republic in Georgia, Alabama, and South Carolina.

Macon, Ga.

The Cincinnati Negro, held in jail here, said in an interview today his attorneys would launch another attempt to obtain his release on a writ of habeas corpus Tuesday next.

Herndon was convicted under a Georgia statute, passed in reconstruction days, under which the penalty may be assessed for insurrection.

The jury in his case, however, fixed his punishment at 15 to 20 years.

Herndon said he was anxious to regain his freedom so "I may continue my work for the labor movement to better conditions."

He said he hoped the case would get to the supreme court of the United States again for a ruling on the Georgia insurrection law.

Joined Communists

The supreme court declined several weeks ago to review the case, but did not pass on the merits of the statute.

"I maintain the insurrection law violates the constitutional guarantees of free speech and free press," Herndon said.

He was convicted in 1932. He admitted Communist literature was found in his room.

"I have been a Communist five years," he said, "I joined the party in Alabama after a judge sentenced me to a year on the chain gang for 'vagrancy.'"

Herndon said expenses of his appeal were being paid by the International Labor Defense. He said the Communist and Socialist parties were obtaining 2,000,000 signatures on a petition to Governor Talmadge seeking a pardon.

He said the League for Industrial Democracy, the National Negro Bar Association and the Federal Council of Churches also were helping in his fight for freedom.

HERNDON SURRENDERS AS NEW PLEA IS FILED

Constitution
10-29-35

Attorneys for Negro Communist Launch New Court Campaign for Freedom.

Atlanta, Ga.

Angelo Herndon, convicted negro communist, surrendered to Sheriff James I. Lowry yesterday afternoon and his attorneys immediately filed a habeas corpus writ as the start of another legal battle which they expect to carry to the United States supreme court.

10-29-35

Herndon was convicted of attempting to incite a riot and was sentenced to serve 18 to 20 years on the chain gang. Backed by international communistic associations, Herndon carried his case to the supreme court, which recently refused to review it.

Formal notification of the refusal was delivered to the Georgia supreme court yesterday and this court sent a remittitur to the Fulton superior court. Judge John D. Humphries made it the order of the court.

Accompanied by Elbert P. Tuttle, well-known Atlanta lawyer, Herndon appeared at the sheriff's office yesterday and surrendered to Lowry and Chief Deputy Sheriff Emmett Quinn.

In Tower Without Bond.

He was sent to Fulton tower, without bond.

Judge Hugh M. Dorsey, in Fulton superior court, signed the habeas corpus and set the date of hearing for November 12.

The petition for habeas corpus sets forth that the Georgia law under which Herndon was convicted has never been passed on by the supreme court of the United States. Herndon and his attorney contend the law is unconstitutional. It was enacted in Georgia in 1871 and carries the death penalty for anyone convicted of inciting a riot.

Until the habeas corpus hearing, Herndon will remain in Fulton tower, it was said. The paper was directed against Sheriff Lowry and Solicitor-General John A. Boykin.

Arrived Yesterday.

Herndon arrived in Atlanta yesterday from New York, where he had been since he was released on bond of $15,000 some time ago.

The case has attracted nation-wide attention and many attempts have been made to free the negro through the courts. Governor Talmadge has received hundreds of letters and messages asking freedom for Herndon.

No appeal has been made by Herndon's defense for clemency from the Prison Commission, it was said. A formal plea to the commission is the customary procedure in seeking clemency from the chief executive.

"I hope the Governor will see I get justice," Herndon said last night in his cell.

"I still believe in communism and do not intend to renounce it," he declared, emphatically, when informed of a report he was preparing to quit the party.

He asserted his conviction was a "miscarriage of justice."

Herndon Sentence Flayed By Central Labor Union

Daily Worker

Barre (Vt.) A. F. of L. Also Demands Repeal of Slave Insurrection Law—Votes to Aid Quarry Workers in West Virginia Strike

By Helen Ryback

BARRE, Vt., Nov. 5.—The Central Labor Union of this city sent a telegram from its last regular meeting to Governor Eugene Talmadge of Georgia, protesting the chain gang conviction of Angelo Herndon, and demanding the immediate and safe release of the heroic young Negro labor organizer, who was sentenced to 18 to 20 years on the chain gang for leading a successful relief demonstration of unemployed Negro and white workers of Atlanta. The telegram demanded the repeal of the slave statute, under which Herndon was convicted.

11-6-35

A similar telegram was sent to Gov. Talmadge by the Granite Cutters Union, at its last meeting. The W. P. A. Workers' Union has also sent a demand for Herndon's release to Gov. Talmadge.

At its last meeting, the Central Labor Union elected to its executive committee Richard Frueba, delegate from the Granite Cutters' Union and a militant fighter. Hedge Carlson, another rank and file delegate from the same union, was seated as a delegate.

The C. L. U. also took up seriously the question of organizing white collar workers in this city, and made a donation of $12 to the strike fund of the Quarry Workers Local in West Virginia who have been on strike since last April. An appeal was made to all locals to set up strikers' aid committees to uphold the struggle of the quarry workers.

BRITISH ASSIST HERNDON!

The Union

New York.—Six hundred signatures collected in various cities of England signed to the petition now being circulated on behalf of Angelo Herndon were received here last week by the Angelo Herndon Petition Committee from the League of Colored Peoples in London. The petition, which is going the rounds in 48 states of the union and in dozens of foreign countries, is addressed to Governor Eugene Talmage of Georgia, and asks Herndon's freedom and the repeal of the "slave insurrection" law under which he was indicted.

Communist
11-15-35

The number of signatures has now passed the 100,000 mark. Two million are sought.

New York Evening Post
NOV 13 1935

DIXIE NEGRO PLOT LAID TO HERNDON

ATLANTA, Nov. 13 (AP).—Assistant Solicitor J. Walter Lecraw, opposing release of Angelo Herndon, Cincinnati Negro Communist, from an eighteen to twenty-year sentence for attempting to incite insurrection, told the court today the International Communist Party had ordered creation of a republic of Negroes in the South.

Attorneys for the Negro, in their arguments at a habeas corpus hearing before Judge Hugh M. Dorsey in Fulton (Atlanta) Supreior Court, which began yesterday, attacked the 1866 Georgia insurrection law as unconstitutional.

Lecraw, in his arguments for the State, pictured Herndon as an organizer for the International Communist Party.

After hearing rebuttal argument from Herndon's attorneys, Judge Dorsey took the case under advisement.

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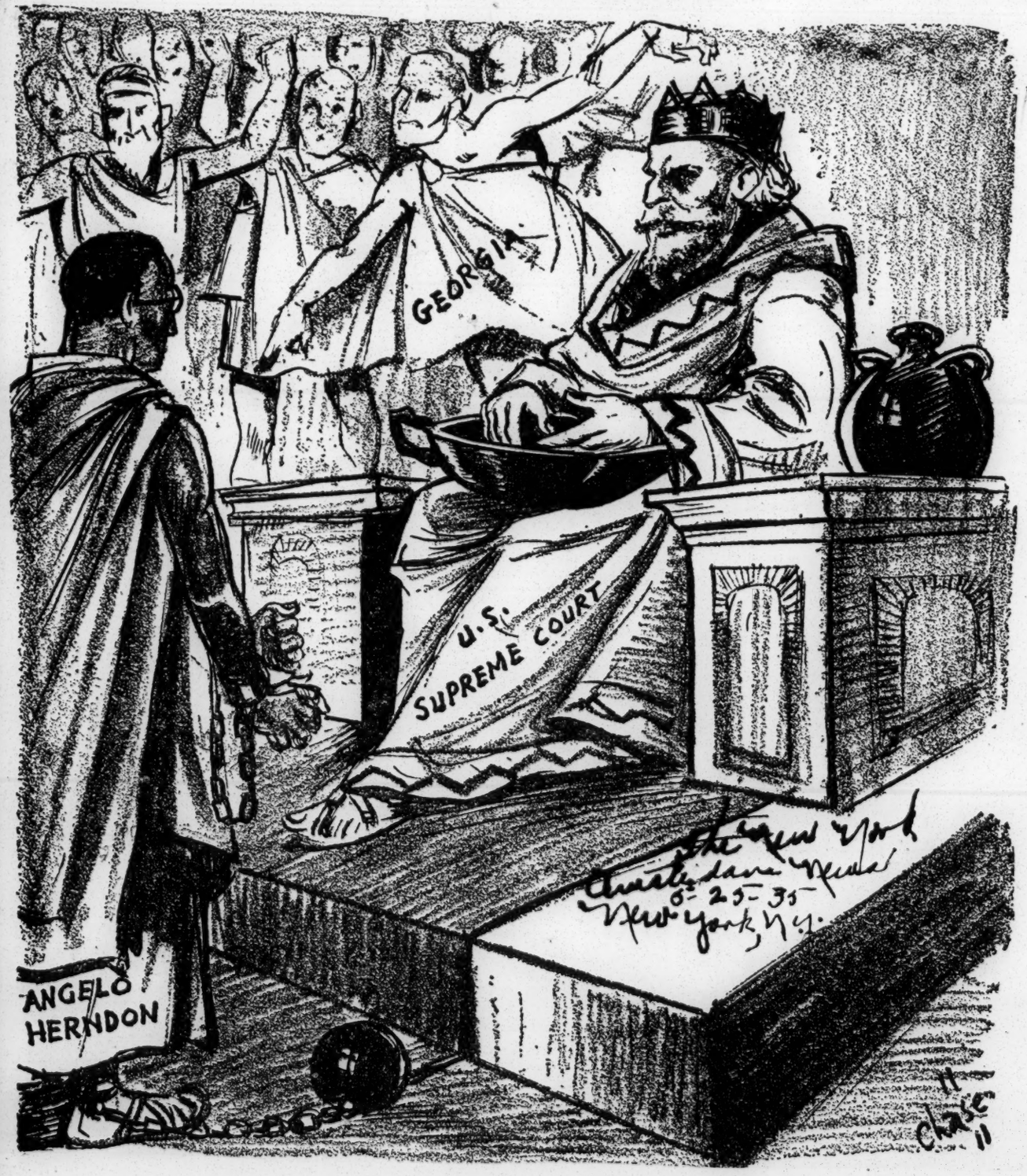
Pilate Washes His Hands

By CHASE



THOMAS PLEDGES AID

The Socialist leader has promised to urge the National Executive Committee to give its official support to Angelo Herndon in his fight against the 18 to 20-year chain gang sentence imposed upon him. Herndon was sentenced for leading an unemployed demonstration to demand adequate relief.

Angelo Herndon

The United States Supreme Court, in 6-3 decision that sounds almost tyrannical, refused to interfere with the conviction of Angelo Herndon, Atlanta Communist, sentenced to from eighteen to twenty years in prison under an 1861 Georgia law forbidding the inciting of violence.

The majority of the court dismissed the Herndon appeal on the ground that he was tardy in asserting his constitutional rights in the Georgia courts.

In a blistering and somewhat longer minority opinion, shared by Justices Stone and Brandeis, Justice Cardozo wrote:

"I hold that the protection of the Constitution was seasonably invoked and that the court should proceed with the adjudication of the merits."

Here is a case which involves the right of an American citizen to make a speech for the officially recognized Communist party, to walk in a Communist parade or to have Communist literature in his pockets.

The Supreme Court, apparently disdainful of this, and of the fact that an ancient slave law of 1861 was revived in order to punish Herndon, throws out the case on a technicality without going into its merits.

We could wish that in cases as vitally important as this, and the Texas Democratic primary case, our highest court would avoid loopholes and corners and stay out in the open.

Thomas to Seek Nation-Wide Socialist Support for Herndon

Will Ask National Body of S. P. to Give Its Official Sanction

(By Federated Press)

Norman Thomas will ask the National Executive Committee of the Socialist Party at the coming meeting to give official support to Angelo Herndon, he told the 22-year-old Negro framed to 18-to-20 years on the Georgia chain gang for leading an unemployed demonstration to demand more adequate relief.

The Socialist Party's National Executive Committee meeting will take place sometime between now and July 4, Thomas stated.

"It is time for all workers, all lovers of justice and decency, without regard to politics to speak up," Thomas said. "There is an effective pressure of public opinion which can yet be brought to bear upon all those concerned in this monstrous miscarriage of justice to correct it before it is too late. We want no more Sacco and Vanzetti or Mooney and Billings cases in America."

Thomas also stated that he was attempting to get some time for a broadcast on civil liberties. "If I do, I will stress the Herndon case as one of the outstanding instances of retrogression of civil liberties," he promised.

I.L.D. Presses Appeal

Thomas minced no words in his opinion of the vicious frameup. "If the United States Supreme Court should refuse the second hearing, I declare my willingness to join a delegation to bring pressure upon the President himself," he stated.

Following the recent refusal of the United States Supreme Court to consider Herndon's appeal, the International Labor Defense is planning to appeal for a rehearing based mainly on the dissenting opinions of the three leading justices of the Supreme Court—Cardozo, Stone and Brandeis — who clearly pointed out that the majority of the court had resorted to legal technicalities to avoid dealing with the case.

The Socialist leader expressed his belief that the Herndon fight will easily win "immense support" from the masses of American people. "It's particularly important to get lots of these churches and churchmen to put up or shut up," he said. "And I think most of them will help.

No More Raw Case

"I know of no case which is so absolutely raw as this one. Herndon is condemned to the living hell of 20 years on a Georgia chain gang, perhaps the worst fate possible to man in a so-called civilized country. And why? Simply because he was convicted under an old, barbarous and hitherto unused statute in Georgia dating back to the unhappy days following the Civil War. Herndoon led no mob, incited to no violence, did not even make what would be called a 'subsersive' speech. It happens that he is both a Communist and a Negro and that he was organizing peacefully to obtain better relief conditions for workers, of course, including colored workers.

ANGELO HERNDON

"Time for All Workers To Speak Up," Says Socialist Leader

For this, and only for this, a young man, a genuine working class idealist—and I who say this am no Communist—now faces the fate to which many would think that death is preferable.

"In all my experience in civil liberties, I don't know anything so completely raw."

Thomas cracked down on Gov. Eugene Talmadge of Georgia, the State which is trying to send Herndon to a living death on the chain gang.

"Talmadge is the one who maintained concentration camps during last year's textile strike," he recalled. "He had the militia out. He is one of the lowest order of demagogues—and that's pretty low. He quite openly used relief funds to build his political machine and has repeatedly discriminated against Negroes."

THE HERNDON CASE

The supreme court of the United States by decision of six to three, refuses to interfere with the conviction of Angelo Herndon, of Atlanta, Ga., sentenced to twenty years in prison. The law under which Herndon was convicted was enacted during slavery days and for the express purpose of instilling fear in the hearts of slaves. Herndon was charged with the inciting of insurrection. He was actually convicted for his opposition to the unjust economic and industrial program in operation in the State of Georgia.

Governor Talmadge of Georgia has been heard recently in a very extended program calling upon the nation to return to the Constitution. The back to the Constitution argument, with the proper interpretation to human rights as well as property rights, could be made more impressive by the governor of Georgia if he exercised his official power and pardoned Angelo Herndon, whose only crime was his intelligent opposition to poverty and oppression.

The governor of Georgia will make a long forward step toward putting into deeds what so far with him is only words if he demonstrates to the world that on the question of law and order, right and wrong, justice and injuctice he is big enough to override the hampering influences of race prejudice and measure out justice and fair play to all men alike.

Reconciliation Fellowship Secretary Agrees Right To Work Must Be Upheld

Editor Constitution: If there were reasonable assurance that all those who read your editorial of last Sunday, "Trouble Makers," would also read the pamphlet to which it refers, "Can Guns Settle Strikes?" this letter would in the writer's opinion be superfluous. He is confident that the large majority of them would not regard it as prejudiced, that they would understand that it condemns the "flying squadron," and that they would see in the pamphlet not an attack on a person but the criticism of a policy.

They would note the pervading emphasis on means to peace, such as were successfully followed by the rayon mill in Rome, and disastrously neglected in the cotton mills. Is it prejudice to suggest that violence may be avoided by the signing of an agreement between management and workers, or by the holding of a secret ballot with regard to a proposed strike, under the supervision of the sheriff?

Some persons would agree with the protest against the use of martial law, under which some 200 citizens of Georgia were arrested without warrant, loosed without trial, and left without remedy.

There are citizens not yet vocal on the subject who would agree with Dean de Ovies in his protest against the use of "the forces of war 'to preserve order,'" which by a singular coincidence was printed on the same page as your editorial.

This pamphlet which the editorial qualifies as a "savage attack on Governor Talmadge" gives him credit for sending the Bergoff strike breakers home from Porterdale, for not favoring the introduction of strike breakers into Rome from outside the state, and for the measure of protection which he gave to strikers in Rockmart. It quotes in full his most important statement about the strike, incluing reference to petitions from mill owners and others for the sending of troops. In addition, the governor wrote a letter to the undersigned; its only important addition to the earlier statement is quoted in the pamphlet.

We agree that both the right to work and the right to strike must be protected. When those rights come into conflict with each other, the adjustment is not, I venture to suggest, a simple one. The pamphlet is a plea for judicial, conciliatory, co-operative measures.

Secondary questions are those connected with the origin and distribution of the document. The Fellowship of Reconciliation has its headquarters in New York, as does the Cotton Textile Institute. The study was suggested by citizens of Georgia after the Shannon episode, which is described in the pamphlet. Seven thousand copies were printed. Probably fewer than 1,000 have been sold in Georgia. The Fellowship of Reconciliation has sent none into the public schools.

The editorial refers to persons signing the foreword: Will W. Alexander, Commission on Interracial Co-operation; George L. Googe, American Federation of Labor; W. Aiken Smart, Emory University; Frank P. Graham, University of North Carolina; E. McNeill Poteat Jr., Pullen Memorial Baptist church, Raleigh, N. C. These men are widely and favorably known. The public does not associate their names with trouble making nor with intentional misstatement. If mistakes as to fact have escaped the vigilance of the careful and experienced persons who read the manuscript, they have not been pointed out.

CLAUD NELSON,
Southern Secretary, Fellowship of Reconciliation.
Decatur, Ga., April 11, 1935.

Herndon Case Review Is Refused by Court

WASHINGTON, Oct. 14—(AP)—The supreme court refused today to reconsider its action last spring in dismissing the appeal of Angelo Herndon, negro communist convicted at Atlanta of inciting insurrection and sentenced to serve from 18 to 20 years.

Herndon was arrested with considerable communist literature in his possession. His counsel contended the state had failed to prove that his activities incited insurrection, and asserted he was being deprived of his constitutional rights of free speech and free assembly.

The supreme court, held last term the constitutional question had not been properly raised in the Georgia state courts, and that it was, therefore, without jurisdiction to review the case on its merits.

During the summer recess Justice Roberts granted a stay permitting Herndon to remain at liberty under bond pending action on his petition for rehearing.

Jacksonville, Fla. Journal
October 8, 1935

NEGRO RADICAL WILL GET HELP

Religious Groups Join in Opposing Sentence

WASHINGTON, Oct. 8—(AP)—Liberal and religious groups and the National Association for the Advancement of Colored People today asked permission of the supreme court to join the appeal of Angelo Herndon, Atlanta, Ga., negro sentenced to 18 to 20 years by Georgia courts for activity as a radical organizer.

In a brief filed as a friend of the court, attorneys for a dozen national organizations contended the supreme court, by refusing to hear Herndon's previous appeal on jurisdiction grounds, "condemns him to a living death of 18 to 20 years on the Georgia chain-gang."

Herndon's conviction was upheld, in effect, by the supreme court on May 20, 1935. By a 6 to 3 vote the court ruled constitutional questions which Herndon sought to raise had not been properly raised in the Georgia state courts, and that the supreme court was therefore barred from passing on the case on its merits.

Today's petition stated it was impossible for Herndon to raise these questions in Georgia courts because of court rules there.

Rabbi Stephen Wise, Dr. Harry Emerson Fosdick, Methodist, Episcopal and Jewish grouups, and the American Civil Liberties Union were among those joining in the new petition.

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Georgia

Denies Jurisdiction in Case; I. L. D., Pressing New Fight, Urges Mass Action for Negro

FIGHT FOR HIM TO BE REDOUBLED

ANGELO HERNDON

Dissenting Opinion by Justices Brandeis, Cardozo and Stone

WASHINGTON, May 20.—The United States Supreme Court refused today—by a vote of 6 to 3—to set aside the conviction of Angelo Herndon, heroic 20-year-old Negro, who faces a sentence of 18 to 20 years on a Georgia chain gang on a charge of "insurrection."

The opinion was read by Justice George Sutherland. Justices Louis D. Brandeis, Harlan F. Stone and Benjamin N. Cardozo dissented from the majority opinion.

Basic Issues Evaded

Evading the basic issues of the case, namely, the right to organize Negro and white, the judges in their majority opinion declined to review the merits of the appeal, declaring that the defense "did not properly preserve the federal questions involved," in other words, that the court had no jurisdiction.

The court did not go into the legality of Herndon's conviction.

The International Labor Defense will immediately instruct its lawyers to file a petition for a re-hearing of the case by the United States Supreme Court, Anna Damon, acting national secretary, announced yesterday, after consultation with the I.L.D. legal staff.

The details of questions to be raised in the petition will be worked out by the attorneys after they have had opportunity to examine the opinion of the court and the dissenting opinion of the three judges who did not concur.

Organized for Relief

Herndon, in the face of the most vicious prejudice against the Negro people, organized Negro and white workers in a fight for relief in Atlanta, where thousands were starving as a result of unemployment. For this he was arrested on an old Civil War code, placed on trial for his life, and convicted by a "lily white" jury. He was sentenced to serve 18 to 20 years on a chain gang, a sentence which meant virtual death to the frail young Negro.

The opinion of the Supreme Court confined itself to the most obscurantist discussion of the legal aspects involved, completely evading the burning issues of the case: Herndon's heroic leadership of the relief fight in Atlanta, the discrimination against Negro jurors, the ranting, lynch-inciting speeches of the prosecutor, the elementary rights of the workers.

The majority opinion by Justice Sutherland declared:

Court Cites Technicalities

"On this appeal, the statute is assailed as contravening the due process clause of the Fourteenth Amendment in certain designated particulars. We find it necessary to review the points made, since this court is without jurisdiction for the reason that no Federal question was seasonably raised in the court below or passed upon by that court.

"It is true that there was a preliminary attack upon the indictment in the trial court on the ground, among others, that the statute was in violation 'of the Constitution of the U. S.,' and that this contention was overruled, but in addition to the insufficiency of the specification, the adverse action of the trial court was not preserved by exceptions . . . or assigned as error in due time. . . . The Federal question was never properly presented to the State Supreme Court unless upon motion for rehearing: and that court then refused to consider it.

Question of Procedure

"The long-established general rule is that the attempt to raise a federal question after judgment, upon a petition for rehearing, comes too late, unless the court actually entertains the question and decides it. . . .

"Petitioner, however, contends that the present case falls within an exception to the rule—namely . . . the question respecting the validity of the statute as applied by the lower court first arose from its unanticipated rights under the Constitution.

"There is no doubt that the federal claim was timely if the ruling of the State Court could not have been anticipated. . . . The whole point, therefore, is whether the ruling here assailed should have been anticipated. . . .

Sees a Precedent

"On March 18, 1933, several months prior to the action of the trial court . . . (Georgia) State Supreme Court had decided Carr v. State. In that case section 56 . . . was challenged as contravening the Fourteenth Amendment. The court in substance construed the statute as it did in the present case . . ."

The decision here quotes an opinion declaring legislature has authority to "forbid the advocacy of a doctrine designed and intended to overthrow the government without waiting until there is a present and imminent danger of the success of the plan advocated" and remarks that the language is similar to that in the cases at Lloyd, Ill., and Gitlow v. New York.

"Appellant, of course, cannot plead ignorance of the Carr case and was therefore bound to anticipate the probability of a similar ruling in his own case. . . . It follows that his contention that he raised the federal question at the first opportunity is without substance, and the appeal must be dismissed for want of jurisdiction."

The minority opinion by Cardozo, with Brandeis and Stone concurring, declared:

"It is a novel doctrine that a defendant who has had the benefits of all he asks, and indeed of a good deal more, must place a statement on the record that if some other court at some other time shall read the statute differently, there will be a denial of liberties that at the moment of the protest are unchallenged and intact. Defendants charged with crime are as slow as are men generally to borrow trouble of the future.

"We are told, however, that protest, even if unnecessary at the trial, should have been made . . . in connection with the appeal . . . The decisions relied upon are Carr v the State (No. 1), and Carr v. the State (No. 2). The first of these cases was decided in November 1932, before the trial of the appellant. . . . The second was decided in March, 1933, after the appellant had been convicted, but before the denial or submission of his motion for a new trial. Neither is decisive in the question before us now. . . .

No Chance to Argue

What was brought into the case upon the motion for rehearing was a standard wholly novel, the expectancy of life to be ascribed to the persuasive power of an idea. The defendant had no opportunity in the State court to prepare his argument accordingly. He had no opportunity to argue from the record that guilt was not a reasonable inference or one permitted by the Constitution. . . . The argument thus shut out is submitted to us now."

Second Recent Issue

The opinion in the Herndon case is the second momentous decision to be handed down by the U. S. Supreme Court in recent weeks, the last one being on the Scottsboro case, which was reversed, thus un-

holding the contention of the International Labor Defense that Negroes were systematically barred from jury service.

The Herndon case, which, like the Scottsboro fight, has aroused world-wide interest, arose after Herndon was arrested for organizing Negro and white workers in Atlanta, Georgia, in a fight for relief. He was indicted and sentenced to serve eighteen to twenty years on the Georgia chain gang on an old "insurrectionary" law passed in the Civil War days.

Courageous Speech to Jury

Herndon was defended by the brilliant Negro attorney, Ben Davis, Jr., now editor of the "Negro Liberator." In his speech to the jury Herndon courageously exposed his prosecution as a weapon of the white bosses to block the growing unity of Negro and white. His speech aroused tremendous interest throughout the South.

"You may jail me; you may kill me," Herndon said defiantly. "But a thousand Angelo Herndons will come forward to take my place."

Convicted by a picked all-white jury, Herndon was kept a prisoner in Fulton Towers Prison, Atlanta, for nineteen months. Fulton Towers is one of the oldest and worst prisons in the country, and Herndon was continually persecuted by his jailors. He was tortured and for a time was compelled to remain in his cell with a corpse. Herndon was constantly being framed-up by his jailors and thrown into solitary.

Ill in Prison

On one occasion he wrote from his cell:

"Since getting out of solitary confinement I have been very ill. In fact I have been so weak that I could hardly pick up a book; and all this comes as a direct result of my continued imprisonment, to say nothing of the tedious and excruciating days that I have been subjected to all these months. I am suffering from constant violent pains in the stomach and incessant vomiting caused by intolerable prison food. Through my sickness I am gradually losing the sight of both eyes.

"You must realize that I've been in here for a long time now, and so long as we let the case lag on, so much the better for the capitalists and their framers of me. Keep them on the merry-go-round where they will be forced to keep their feet to the fire, and we can surely look for much speedier action, with the resultance of some achievements that we might not have seriously anticipated."

Bail is Raised

Last July the International Labor Defense intensified its campaign to force Herndon's release on bail. The Georgia authorities at first refused to set bail, but later agreed to fix bond at $15,000, never expecting

of the October Revolution, eve resolutely advancing in the struggl for the future under the banner o Lenin and Stalin, will be able t fill in this heavy loss."

George Dimitroff, leader of th Bulgarian Communist Party an the outstanding figure of th Reichstag fire trial, touched ex actly the mood of the Soviet masse when he wrote: "The entire coun try and millions of other worker feel the heavy loss with great sor row. But there is no doubt tha out of this deep sorrow, as is al ways the case with Bolsheviks an pupils of Lenin and Stalin, a ---- meetings attended by thousands of workers throughout the country Undaunted by the latest develop ments in the case, Herndon yester day expressed the greatest faith in the ability of the workers to free him from the clutches of the Georgia jailors.

'Act at Once,' Urges the ILD

The following statement on the decision of the United States Supreme Court, refusing to pass an opinion upon the legality of the monstrous sentence of 18 to 20 years on the Georgia chain-gang, passed on Angelo Herndon, was issued yesterday by Anna Damon, acting national secretary, on behalf of the National Executive Committee on the International Labor Defense:

"The decision of the United States Supreme Court in the Herndon case is a direct attempt to terrorize the progressive forces of the United States. It is direct aid by this court to the lynchers, to the open fascists who seek to outlaw all freedom of speech, assemblage, and organization for the working class and the Negro people struggling for national liberation.

Rehearing Can Be Forced

"The united power of the toiling masses of the United States saved Angelo Herndon from the chain-gang once, won his temporary freedom, and brought his case before the United States Supreme Court.

"The I. L. D. will instruct its attorneys to take immediate steps for a re-hearing in that court.

"The same mass action and protest which has saved him so far, which has saved the Scottsboro boys for four years can, intensified, force the United States Supreme Court to grant this rehearing and act favorably upon it.

"Upon the demonstrations, meetings, protests, and other actions which will now be organized, rests the fate of Angelo Herndon.

Tear Veil Aside!

"The veil of technicalities which the United States Supreme Court has sought to place around its support of southern lynch-rule and reaction, must be torn away. The smokescreen is already exposed by the dissent of three of the justices of the court, not on a matter of testimony or argument, but on a point of law.

"We call on the justice-loving people of the United States, and especially upon the Negro masses, the trade unionists, the unemployed and the members of the Communist Party, all of whose basic rights are directly attacked in the decision of the court handed down today, to join in the mightiest protest action, to force the court to free Herndon.

Act at Once!

"Call special protest meetings, immediately. There are only a few days in which to act. Bring this matter into every meeting held, on whatever subject.

"Resolutions demanding that the U. S. Supreme Court rehear the case must be passed at every one of these meetings.

"Funds must now more than ever be raised to carry on this campaign, to take the necessary legal steps to save Angelo Herndon from a living death on the chain-gang. They should be sent at once to the I.L.D., Room 610, 80 East 11th Street, New York City.

"Defend your rights! Don't let them send Angelo Herndon back to the chain gang."

Herndon Lost High Court Case on Technicality

WASHINGTON—A legal technicality involving alleged tardiness in asserting his constitutional rights in the Georgia courts caused the U. S. Supreme Court on Monday to dismiss Angelo Herndon's appeal from an 18-to-20-year sentence for "inciting an insurrection."

The decision, reached by a 6 to 3 vote, was accompanied by a dissenting opinion, written by Justice Benjamin N. Cardozo and concurred in by Justices Louis D. Brandeis and Harlan F. Stone, which consumed twelve typewritten pages.

The majority opinion, delivered by Justice George Sutherland, was contained in seven and one-half typed pages.

Contended Plea Was Late

In contending that the court lacked jurisdiction for the reason that no Federal question was seasonably raised in the court below, or passed upon by that court, the six justices said that:

"The Federal question was never *properly presented* to the state supreme court unless upon motion for rehearing; and that court then refused to consider it.

"The long-established general rule is that the attempt to raise a Federal question after judgment, upon a petition for rehearing, comes too late, unless the court actually entertains the question and decides it."

New Construction on Statute

The point was raised over Herndon's contention that his case represented an exception because the state supreme court placed an interpretation on the statute involved which differed from the lower court's construction.

According to the records, the Atlanta trial court judge informed the jury that evidence, to be sufficient for conviction, must show clearly that the defendant's advocacy of insurrection entailed immediate serious violence against the state or anticipated such action.

The Georgia Supreme Court however, construed the statute as not requiring that an insurrection follow instantly or at any given time, in order for the advocator to be considered guilty.

Position Not New

Herndon's contention that he could not have anticipated this variance in construction, and thus have raised the Constitutional point prior to the state supreme court's decision, was refuted in the U. S. Supreme Court's majority ruling by the contention that the state court had taken a similar stand in the case of Carr vs. State, several months before Herndon's appeal to that body.

The U. S. high court decision recalls that Herndon was convicted on January 18, 1933; that the trial court overruled a motion for a new trial on July 5, 1933, and that the state supreme court, to which the case was appealed immediately, handed down its original opinion on May 24, 1934.

The decision in the Carr case was handed down on March 18, 1933.

Cardozo Dissents

Justice Cardozo, in his dissenting opinion, says in part:

"I hold the view that the protection of the Constitution was seasonably invoked, and that the court should proceed to an adjudication of the merits."

He maintains that the defendant's contention that, "a statute so lacking in precision as the one applied against him here is an unconstitutional restraint upon historic liberties of speech," has "color of support in words uttered from this bench."

Carr Case Not Applicable

The dissenting opinion contains a lengthy denunciation of the applicability of the Carr decision to Herndon's case, and continues:

"From all this it results that Herndon, this appellant, came into the highest court of Georgia without notice that the statute defining his offense was o be given a new hearing."

Herndon, then nineteen years of ago and an organizer for the Communist party, was arrested on July 11, 1932, as he opened his mail box in the Atlanta Post Office.

Now Out on ILD Bail

Although some communistic literature was found in his possession, the alleged "scurrilous letter" for which police claimed they were waiting at the time of the arrest was never offered in evidence at the youth's trial.

Herndon is now at liberty on $15,000 bail raised through the efforts of the ILD.

SENTENCE SUSTAINED ON ANGELO HERNDON

Supreme Court Upholds Conviction Here of Alleged Negro Communist.

WASHINGTON, May 20.—(AP)—The supreme court today sustained in effect a sentence of from 18 to 20 years' imprisonment imposed on Angelo Herndon, Atlanta (Ga.) negro on charges of attempting to incite insurrection, and dismissed Herndon's appeal in a 3-to-6 decision.

Herndon was charged with possession and distribution of communist literature advocating the confiscation by negroes in the southern states of land owned by the whites, the "smashing" of the national guard, the C. M. T. C. and the R. O. T. C. Georgia law forbids attempts to incite insurrection.

Georgia charged Herndon had come to Atlanta as a paid organizer of the communist party. When he was arrested a considerable quantity of communist literature was found in his possession and he had been making communist speeches.

The state asserted the literature was particularly aimed to induce the negroes of the south to accept the program of the communist international and be controlled by the decisions of the communist party.

It declared the negroes were being urged to organize, to seize the property of whites and then decide whether they would set up their own government or separate from the United States.

Counsel for Herndon insisted the reference to "revolutions" and "revolutionary" movements did not constitute a threat to overthrow the government by force, but to bring about reforms, and that Herndon, in his activities, was clearly within the protection of the federal constitution guaranteeing freedom of speech and assembly.

Justice Sutherland delivered the decision of the court. Justices Cardozo, Brandeis and Stone dissented.

Sutherlands' opinion, after reviewing the facts, said:

"We find it unnecessary to review the points made, since this court is without jurisdiction for the reason

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Reliance Placed in Mass Action By Marcantonio at Herndon Parley

The Daily Worker publishes below the text of the speech of Congressman Vito Marcantonio at the New York Herndon Action Conference held Saturday, Oct. 19.

At this conference, which was also addressed by Ashley B. Totten of the Brotherhood of Sleeping Car Porters, Mary Fox of the League for Industrial Democracy, the Rev. William Lloyd Imes, David Lasser of the Workers Unemployed Union, Lester B. Granger of the National Urban League, and others, the 264 delegates, sweeping aside every difference of race, color and political opinion, pledged an unending fight to free Angelo Herndon.

The full text of the speech follows: 10-22-35

VITO MARCANTONIO

Mr. Chairman, Angelo Herndon, Friends: During the closing weeks of Congress, Miss Damon, secretary of the International Labor Defense, came down to Washington on the Angelo Herndon case. And we started at that time to obtain a number of signatures from the members of the House and from the members of the Senate. I don't recall just how many signatures we received but you can rest assured of one thing that that campaign for signatures down there will be kept on as part of the fight to free Angelo Herndon.

I realize that in this fight for the freedom of Angelo Herndon we are fighting the combined forces of the last vestiges of feudalism and the most atrocious forms of capitalism in America. We are fighting here race prejudice plus the bourbons and the reactionaries of America who are determined that labor, especially labor below the Mason and Dixon line, shall have no voice and show no protest so that to me Angelo Herndon symbolizes a cause. If it were just a fight of an individual I would not be interested, but freedom for Angelo Herndon represents the cause of the right of the American working class irrespective of race, color or creed, to protest, to demand and to agitate for a better deal in these United States.

So that I place the Angelo Herndon case in the same category with the Sacco-Vanzetti case, with the Gallup, New Mexico, case, a case which represents the struggle on the part of the American working class and, more particularly down South, a struggle on the part of the most down-trodden, the worst exploited workers in the United States. Now I don't know what Governor Talmadge is going to do. But I do know this, that if they think they are going to dismiss the protests of millions of people, many of whom are leading citizens in America, in the typical Southern bourbon manner, and forget about it, they are mistaken. Because as far as I am concerned, we are going to keep the Angelo Herndon issue alive on the floor of the House (Applause).

I know that many of my colleagues from the South are going to reply that Congress has no jurisdiction. I will admit that. I know that they are going to say that this is purely a state matter. Legally they are correct, but I am going to maintain that the Congress of the United States and the House of Representatives is the greatest forum in the country and that as long as there are going to be bigots in any state, we are going to use that forum to fight those bigots. And just you wait when they come before us with the triple-eight program of appropriations next year. We are going to take the floor and we are going to bring in the Angelo Herndon case. The Speaker may call us out of order. He may say that our speeches are not germane but after all is said and done, he is going to get tired of calling us out of order.

Place Faith in Mass Action

My friends, that is the best that I can do from the House of Representatives. Whenever an appropriations bill comes up, when they allow general debate, when there are no restrictions, then you can talk on any subject you want, and we are going to take advantage of that. We are going to keep on talking on this question until the bigots of the South will know that there are some men in the House, and that the American people are aroused over the Angelo Herndon issue. Now then that is as far as we can go. But, friends, I have very little faith in legislative action. After eight months of futility and despair on the floor of the House of Representatives I have learned where to place faith. I place faith in the united action of the American workers. (Applause). There is only one manner in which Angelo Herndon can be saved and that is by mass actions. Today we resort to mass action in the form of petitions. If petitions fail, my friends, tomorrow we'll declare strikes wherever we can. (Applause).

Stirring Pledge Taken

The text of the pladge taken by the delegates to the conference for Angelo Herndon follows:

"Fellow worker and brother, Angelo Herndon, upon you has fallen the agony and the glory of symbolizing those heroic workers of America who, in their struggle for freedom and light, must bear the onslaught of all the dark and evil forces in this country.

"Just as you have stood unswervingly with the working class, and for the working class, so we pledge ourselves never to forget that as long as you are in chains, no worker of America can call himself free.

"Therefore, Angelo Herndon, we hereby solemnly promise you that we will never cease working, night and day, north and south, to inform all toilers of this nation of your faithfulness and your courage, and to rally them in one great triumphant movement to set you free."

ANGELO HERNDON LOSES.

Lovers of justice and fair play must feel somewhat discouraged over the recent refusal of the U. S. Supreme Court to act favorably on the petition of Angelo Herndon for a rehearing of his case. This boy was convicted in Georgia a year or two ago on an "insurrection" charge under a pre-civil war law, the object of which was to deter anyone from trying to stir up slaves and cause them to fight for their freedom. The Georgia Supreme Court affirmed the guilty verdict of the lower court which placed upon Herndon a sentence of from 18 to 20 years on the chain gang! Now, no chain gang is a prize winning agency but a Georgia chaingang has the reputation of being a degree or two more cruel than hell itself. Herndon appeals to the U. S. Supreme Court but on a technicality by a 6 to 3 decision, the U. S. Supreme Court refused to reverse the Georgia courts. It seems now that Herndon must go to a Georgia chaingang, unless—and that is not likely—Governor Talmadge suspends or commutes the sentence. And what is this mere boy—he was just about 21 years of age when tried—guilty of. that such a severe and cruel sentence should have been pronounced upon him? He was a leader of a protesting group of hungry people—white and black—in Atlanta. Unfortunately for him, he was a believer in communism. That condemned him and not what he did, for no harm was done by his group to either life or property; greater relief however was obtained by the demonstrator. Verdicts like Herndon's and the Scottsboro boys' are not helping the idea that America is the "Land of the free and the home of the brave."

Herndon Must Be Saved!

WHEN tonight Angelo Herndon mounts the steps of the train that will speed him South to Georgia, where he must surrender to the chain gang—even then the workers of America will not give up the fight to restore Herndon to the ranks of the working class. The fight goes forward, with renewed grimness and greater determination.

The persecutors of Angelo Herndon, the enemies of the militant workers and the Negro people, the lynchers and Klansmen, may think, as the train bearing Herndon gathers speed: "Now at last we have come to the end of the Herndon case." But we, the working class, declare: "This is not the end of the Herndon case. It is the eleventh hour it is a crucial and terrible moment, but it is not the end!"

At this very moment, letters and telegrams demanding Herndon's release are pouring in upon Governor Eugene Talmadge in Atlanta, and signatures to the petition to free Herndon are being speeded to the office of the Herndon Petition Committee at 80 East 11th Street in New York. At this very moment, those who do not want to see Herndon done to death, are rushing funds to the International Labor Defense at 80 East 11th Street, so that it may take last-minute steps to free him.

The working class that saved Tom Mooney from the noose, that a year ago snatched Herndon at the last moment from the waiting chain gang, has not said the last word in this case.

Herndon Will Speak On Eve of Departure

Thousands of workers gathered for the mass meeting in Union Square to protest the railroading of Angelo Herndon, young Negro, to 20 years on a Georgia chain-gang. At 4:30—one half hour before the time set for the opening of the meeting—groups of workers had gathered in the square, awaiting the opening. Hundreds of workers signed the petitions plastered to the side of the I. L. D. truck.

These evidences of interest were borne out at the meeting itself, in which the protest was backed up by vigorous expression and applause on the part of the workers.

On Wednesday night Angelo Herndon leaves New York for Atlanta, to begin serving a sentence of 18 to 20 years on the Georgia chain gang.

The fight to free Herndon is the fight of American labor.

To show their solidarity with Herndon's fight, the workers of New York will gather at Manhattan Opera House, 34th Street near Fourth Avenue, from five to seven-thirty Wednesday afternoon, just before Herndon takes the train for Georgia, to hear Herndon and other working class leaders speak.

No business is too pressing, no engagement too important, to cancel so that you may be there to show Herndon your solidarity, to take the pledge that the delegates to the Herndon Action Conference in New York took Saturday that "we will never cease working, day and night, north and south, to inform all toilers of this nation of your faithfulness and your courage and to rally them in one great triumphant movement to set you free!"

Let Governor Eugene Talmadge know directly of your demand and the demand of your trade union or other organization that Herndon be set free, and the infamous slave insurrection law under which he was convicted repealed. Sign and circulate the Herndon petitions.

Send funds to the International Labor Defense to carry on the fight for Herndon.

And show your solidarity with Herndon by coming to the mass meeting at Manhattan Opera House, Wednesday evening, from five to seven-thirty.

A Pledge to Angelo Herndon

WITH right hands raised high the hundreds of delegates and visitors to the Herndon Action Conference in New York took a solemn pledge to wage unending struggle for the freedom of this heroic young Negro who today symbolizes, perhaps better than any other person, the fight against reaction in America:

"Fellow-worker and brother, Angelo Herndon, upon you has fallen the agony and the glory of symbolizing those heroic workers of America who, in their struggle for freedom and light, must bear the onslaught of all the dark and evil forces in this country.

"Therefore, Angelo Herndon, we hereby solemnly promise you that we will never cease working, night and day, North and South, to inform all toilers of this nation of your faithfulness and your courage, and to rally them in one great, triumphant movement to set you free."

The example set by the delegated conference in New York must be echoed in every city of America. Pile up petitions and letters to the Governor of Georgia; pour money at whatever sacrifice into the $3,000 fund that the International Labor Defense needs within the next three days in order that it can take action which may yet wrest Herndon from the Georgia chain gang, that may still cheat the lynchers of their long awaited prey.

Chain-Gang Hell Chosen For Herndon's Torture

Georgia Outdoes Itself in Selecting Lanier County—Desolate, Disease-Infested—As the Scene of Young Negro's Doom

By Sasha Small

Atlanta, Ga., Oct. 29.—Eerie, ghostly country, with tall stiff trees stretching across pine sands ending in swampy lands. Vast stretches of wire-grass and wild oats where the soil is not too saturated with moisture. South central Georgia's piney woods. And in their midst tiny Lanier county, one of the smallest in the State, selected with sadistic pleasure by Georgia's authorities as Angelo Herndon's doom.

On Tuesday, Oct. 22, before the mandate from the U. S. Supreme Court which had only a week before refused for a second time to review his case was handed down, the prison authorities had already selected this miserable section of hell in Georgia for Angelo Herndon's prison.

The cruelty of the three odd men who are Georgia's prison commission, the sneering gratification of the Commissioner of State Highways Wilgus, needs no better illustration than this fiendish decision on the Lanier County chain-gang, picked carefully from among 150 possible torture centers for Angelo Herndon.

Desolate Woodland

The total population of Lanier County is 5,190. Of these, 3,243 are whites and 1,940 Negroes. Its total area is 191 square miles, which means that there are only 27 people for every square mile—desolate, wild, uninhabited woodland.

What do these people do to keep alive? The census figures list the county as entirely agricultural. There is only once city, Lakeland, with a population of 1,006 and even that is listed as a rural community. Aside from the farmers, trying desperately to scratch a living from the sandy soil, there are two white workers employed as auto mechanics, five garages with six people employed, five white men and one Negro. One telephone and telegraph operator in the entire county.

Illiteracy claims about 12 per cent of the population and only 60 per cent of the children of school age are getting any education at all at the present time.

Chain-Gang Torture

This is the setting in which the Lanier County chain-gang — selected by the Georgia prison authorities for Angelo Herndon—is placed. This is the background against which the convicts slave and toil.

The chain-gang itself is a very small one and is operated by the State Highway Commission which has charge of nine gangs throughout the State. There were, in 1934, only 91 men on the Lanier County chain-gang, 55 Negroes and 36 white men. There are probably about the same number today. The same rules govern Lanier County chain-gang as are provided for every other gang in the State. Toil from sunup to sunset with only one hour altogether for meals and rest. Chains, shackles and spikes to drag along through endless hours of back-breaking slavery. Guards, armed with deadly rifles and automatics, ever vigilant, ever ready to fire at the slightest excuse—instructed to shoot to kill at any semblance of "attempt to escape." Food hardly fit for dogs. It costs the State 22 cents a day to feed the men on the chain-gangs. That's what they allow the wardens. There are no rules providing for the amount each warden may pocket for graft.

These are the regular, legal rules governing chain-gangs in the State of Georgia. To these are added the torture of punishment in stocks, sweat-boxes, beatings with rifle-butts, solitary confinement in the stinking cages—or any other sadistic variation invented by the wardens and guards. To these are also added restrictions on correspondence—every letter written or received is censored by the warden (provided he can read) and he has the final word on whether or not it goes in or out. Visits are limited by the discretion of the Prison Commission which must grant written permission—and can take place only on Sunday.

Greater Misery

That is what happens on every chain-gang hell in Georgia. But Lanier County gang has certain specially hellish qualities. The men must work in the marshy pine lands. Many times with the sluggish swamp water all the way to their knees—tied to each other with ropes so that they will not fall over, working through the slippery slime. The Lanier County convicts work only at drainage, grubbing and grading. Grubbing means clearing away the rotten tree stumps that lift their jagged limbs from the moisture-eaten soil. The temperature and humidity in that part of Georgia, experts say, are peculiarly adapted to rapid tree growth. They are also pecularily adapted to every form of insect-life, malaria-carrying mosquitoes and other natural instruments of torture.

Until Nov. 12—Herndon is safe from this inferno. Until then he is safe from the drunken brutality of the chain-gang guards—safe, behind the walls of the damp, dark dungeon of the Big Rock Jail—Fulton Tower Prison where for 26 months he was tortured.

Between now and Nov. 12, when the hearing on the writ of habeas corpus will take place, Governor Talmadge must be forced to free Angelo Herndon. Between today and Nov. 12, the two-million signature drive must be sped onward—every signature another link struck from the chains waiting to bind our Angelo Herndon.

Labor-1935

Unions, ~~Strikes~~, etc.

Georgia.

PROMINENT SOCIALIST JOINS FIGHT TO FREE ANGELO HERNDON

Crusader News Agency

Thomas Calls for Unity To Save Herndon

6-1-35

NEW YORK - (CNA) - Norman Thomas, Socialist candidate for president in the last elections will seek the support of the National Executive Committee of the Socialist Party in the fight to save Angelo Herndon from the chaingang. This action followed the upholding of Herndon's sentence of 20 years on the chaingang by the U.S. Supreme Court. New York Agency

"It is time for all lovers of justice and decency, without regards to politics, to speak up", Thomas said. "There is an effective pressure of public opinion which can yet be brought to bear upon those concerned in this monstrous miscarriage of justice, to correct it before it is too late."

HERNDON GETS STAY OF EXECUTION

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I.L.D. Launches Renewed Campaign For Herndon's Release, Repeal of Insurrection Law

(Special to Crusader News Agency)

NEW YORK - Developments in the Herndon case took a sharp turn when the Interrational Labor Defense won a stay of execution of the 18-20 year chaingang sentence against Angelo Herndon on June 12.

The stay was granted by the U.S. Supreme Court Justice Owen J. Roberts, upon the application of Whitney North Seymour, famous constitutional lawyer in charge of the Herndon appeals. At the same time, Mr. Seymour filed petition for re-hearing of the Herndon appeal in the United States Supreme Court. Crusader News Agency

Stay Effective Until Fall

According to Supreme Court rules, the stay is effective until ten days after the court decides upon the application for re-hearing. The petition for rehearing will not be considered until the Supreme Court re-convenes on October 7. 6-15-35 New York City, N.Y.

The 18-20 year sentence imposed upon Herndon by the Georgia courts was affirmed by the U.S. Supreme Court on May 20. The decision was 6-1 with Justices Louis D Brandeis, Harlan Stone and Benjamin N. Cordozo dissenting. The majority opinion refused to consider the merits of the case but based its decision upon "technical" consideration.

Led Successful Demonstration

Herndon was convicted in 1933 for "attempting to incite insurrection against the state of Georgia" after he had led a successful demonstration of Negro and white workers in Atlanta.

As a result of the demonstration $60CO additional unemployment relief was immediately appropriated by the Fulton County (Atlanta) County Commissioners. Crusader Agency 6-18-35

To Make Nationwide Tour

Beginning June 24 Herndon will make a nationwide tour on behalf of his appeal and organizing a two-million signature campaign for repeal of the Georgia slave "insurrection" law. He will speak at the national convention of the N.A.A.C.P. at St. Louis on June 26.

Barrage Of Protest Necessary

New York City

The granting of the stay in the Herndon case, saving him temporarily from the chaingang once again, was attributed by Anra Damon, acting national secretary of the International Labor Defense, to the development of the campaign of protest against the decision of the U.S. Supreme Court, demanding the complete freedom of Herndon, from the monstrous chaingang sentence which hangs over him. Thousands of telegrams, letters, resolutions, and postcards making this demand have poured in on the court since its decision on May 20.

An increase in this barrage of resolutions was urged by the I.L.D. to force the court to act favorably upon the petition for re-

Labor-1935

Unions, Strikes, etc.

Georgia

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hearing and the appeal itself.

Funds to carry on this campaign, and especially for the development of the signature campaign for repeal of the slave-law under which Herndon was indicted, are urgently needed, the I.L.D. announced. They should be sent to the I.L.D., room 610, 80 East 11th Street, N.Y.C.

New York Evening Post

MAY 29 1935

THOMAS TO 'MOVE HEAVEN AND EARTH' TO SAVE HERNDON

He May Appeal to Roosevelt to Balk Chain Gang Sentence of Youth

CALLS GEORGIA DECISION 'THE RAWEST ON RECORD

By MICHEL MOK

Norman Thomas is going to "move heaven and earth" to save Angelo Herndon from the living hell of twenty years in a Georgia chain gang.

The Socialist leader today characterized the case against the twenty-two-year-old Southern Negro Communist as "the rawest on record," not excepting the Mooney and Sacco-Vanzetti cases.

He announced that he would lead a campaign to arouse not only the masses, but the churches, the schools, the educators of the country—in fact, "all of the hundreds of thousands of people who I am optimistic enough to believe still set store by our civil liberties."

Expects Wide Support

"And I am also optimistic enough to expect," Mr. Thomas added, "that we will get tremendous support once the full extent of this infernal outrage is generally known."

The United States Supreme Court, by a six-to-three majority, on May 20 refused to interfere with the conviction of Herndon, who was sentenced in 1933 on charges of attempting to incite insurrection under a carpet-bagging law dating from the reconstruction period following the Civil War.

What Herndon did was to take part in a peaceful demonstration for increased relief. After his arrest, his room was searched and "subversive literature" seized. This consisted of some books on economics borrowed from a Carnegie Library and a clipping of the New York Times reporting a Communist meeting in this city.

Out on $15,000 Bail

Herndon is now on $15,000 bail raised among sympathetic workers and other liberals by the International Labor Defense with the assistance of the Civil Liberties Union. He was in jail for a year in which period he contracted tuberculosis.

Mr. Thomas said he would appeal for active support of the Herndon cause at the next meeting of the National Executive Committee of the Socialist Party.

"I shall speak on the radio," he said, "and, if necessary, I will head a delegation to call on President Roosevelt."

To File Stay Motion

Meanwhile, Whitney North Seymour, former Assistant United States Solicitor, Herndon's lawyer is filing a motion for a stay of execution of the youth's sentence and for a reargument before the Supreme Court.

"The majority of the Court," said Mr. Thomas, "on a purely technical line, held that the rights of the constitutional appeal to the Supreme Court had not been properly protected by Herndon's lawyer.

"For this error in formal procedure, which the dissenting Justices (Cardozo, Brandeis and Stone) could not discover, the boy is condemned to the living hell of twenty years in a Georgia chain gang, perhaps the worst fate possible to a man in a so-called civilized country.

Statute Called Barbarous

"And why? Simply because he was convicted under an old, barbarous statute that dates back to the unhappy days after the Civil War—a statute, by the way, that had not been used since then until Herndon was tried.

"Herndon led no mob, incited no violence, did not even make what would be called a 'subversive' speech.

"All that is wrong with the boy is that he was born in Georgia and happens to be both a Negro and a Communist. He was organizing peacefully to obtain better relief conditions for workers, of course including colored workers. For this and only for this, a young man, a genuine working-class idealist—and I who say this am no Communist—now faces a fate to which many would think that death is preferable.

Terms It Rawest Case

"Of all the cases with which I have come in contact in my years of experience in civil liberties work, this is the rawest."

"What of the Sacco-Vanzetti case?" Mr. Thomas was asked. "What of Tom Mooney?"

"They are not in it with this one," was the Socialist leader's reply. "In the Mooney case, there had been a strike. There had been violence. Sacco and Vanzetti were convicted at a time when thousands were still poisoned by war hatred. And don't forget—a murder actually had been committed. But this thing was a barbarous bolt from the blue."

Herndon, a cafe-au-lait colored youth, with intelligent eyes and a cheerful smile, was present at the interview.

He said he had not given up hope and never would.

INDIANAPOLIS, IND.
TIMES

MAY 21 1935

THE HERNDON DECISION

ON a thin legal technicality the United States Supreme Court majority has refused to hear the appeal of Angelo Herndon now under an 18-to-20 year sentence by a Georgia court for an alleged attempt to incite insurrection. That the technicality was a highly questionable one is shown clearly by the sharp dissent of Justices Cardozo, Brandeis and Stone.

Many issues are involved in this case—the issues of fair trial, of treatment of Negroes, of the constitutional rights of political minorities, and of the ability of a state Supreme Court to change the trial court's interpretation of the law without notice to the defendant. But more important than any of these is the tendency of the United States Supreme Court majority in this and other test cases to make decisions on the basis of minor technicalities instead of the fundamental law and justice involved.

Herndon was charged in substance with an attempt to enlarge the Communist party in Atlanta. The state said that was a violation of an old unused state sedition law and was punishable by death in the discretion of the jury. It is not necessary here to point out the barbarity and unconstitutionality of such a penalty for the alleged crime of increasing membership in a legal political party. Nor is it necessary here to argue Herndon's guilt or innocence. The devastating fact is that the United States Supreme Court refused even to give him a hearing.

And all because of hair-splitting by the Supreme Court majority which decided Herndon's lawyers did not make the constitutional appeal soon enough! In refuting this, the minority members pointed out that "the protection of the Constitution was reasonably invoked and that the court should proceed to an adjudication of the merits . . . the settled doctrine is that when a constitutional privilege or immunity has been denied for the first time by a ruling made upon appeal, a litigant thus surprised may challenge the unexpected ruling by a motion for rehearing, and the challenge will be timely. Within that settled doctrine the cause is rightly here."

It is a tragedy not only for Herndon, but for the nation, that the constitutional foundation of justice and civil liberty appears less important than questionable technicalities to the high court majority.

New York Herald-Tribune

JUN 13 1935

Roberts Agrees to Stay Herndon's Commitment

AsksRehearingPetitionBeFiled in Negro Communist's Case

WASHINGTON, June 12 (UP).—Associate Justice Owen J. Roberts of the Supreme Court agreed today to stay the commitment to prison of Angelo Herndon, Negro Communist party organizer, of Atlanta, pending consideration of his case by the court in the fall, providing a petition for rehearing is properly filed.

The court recently refused to set aside an eighteen to twenty year jail sentence imposed on Herndon because of technical matters of proceudre in the lower courts. Lawyers have challenged the decision as contrary to previous rulings of the court.

The Herndon case has become the center of much agitation. The Negro was convicted of inciting to insurrection against the state under a statute passed soon after the Civil War. The trial court held that his membership in the Communist party implied a desire for a violent overthrow of existing government.

HERNDON SURRENDERS AS NEW PLEA IS FILED

Courier-Journal
JUN 29 35

Attorneys for Negro Communist Launch New Court Campaign for Freedom.

Angelo Herndon, convicted Negro communist, surrendered to Sheriff James I. Lowry yesterday afternoon and his attorneys immediately filed a habeas corpus writ as the start of another legal battle which they expect to carry to the United States supreme court.

Herndon was convicted of attempting to incite a riot and was sentenced to serve 18 to 20 years on the chain gang. Backed by international communistic associations, Herndon carried his case to the supreme court, which recently refused to review it.

Formal notification of the refusal was delivered to the Georgia supreme court yesterday and this court sent a remittitur to the Fulton superior court. Judge John D. Humphries made it the order of the court.

Accompanied by Elbert P. Tuttle, well-known Atlanta lawyer, Herndon appeared at the sheriff's office yesterday and surrendered to Lowry and Chief Deputy Sheriff Emmett Quinn.

In Tower Without Bond.

He was sent to Fulton tower, without bond.

Judge Hugh M. Dorsey, in Fulton superior court, signed the habeas corpus and set the date of hearing for November 12.

The petition for habeas corpus sets forth that the Georgia law under which Herndon was convicted has never been passed on by the supreme court of the United States. Herndon and his attorney contend the law is unconstitutional. It was enacted in Georgia in 1871 and carries the death penalty for anyone convicted of inciting a riot.

Until the habeas corpus hearing, Herndon will remain in Fulton tower, it was said. The paper was directed against Sheriff Lowry and Solicitor-General John A. Boykin.

Arrived Yesterday.

Herndon arrived in Atlanta yesterday from New York, where he had been since he was released on bond of $15,000 some time ago.

The case has attracted nation-wide attention and many attempts have been made to free the negro through the courts. Governor Talmadge has received hundreds of letters and messages asking freedom for Herndon.

No appeal has been made by Herndon's defense for clemency from the Prison Commission, it was said. A formal plea to the commission is the customary procedure in seeking clemency from the chief executive.

"I hope the Governor will see I get justice," Herndon said last night in his cell.

"I still believe in communism and do not intend to renounce it," he declared, emphatically, when informed of a report he was preparing to quit the party.

He asserted his conviction was a "miscarriage of justice."

Labor – 1935
Unions, Strikes, etc.

Georgia

A Negro, a Prisoner, in the South . . .

To be a prisoner is agony enough. . . . But to be a Negro, in the South, in chains for political reasons. . . . Read what Angelo Herndon told the recent Conference for Recognition of the Status of Political Prisoners.

By Angelo Herndon

There is a special side of the question of the status of political prisoners, and that is the treatment of political prisoners who are Negroes.

This question comes very much to the forefront, with the growing number of political prisoners in the South. I refer especially to Negroes arrested for political action or economic action. In addition to the already prevailing prejudices that exist against Negroes in the South there is added in such a case even more prejudice and more hatred for a Negro arrested while fighting for better conditions.

There are 19 Negro political prisoners serving a year and more or held on capital charges in the country today. Most of these are in the South. I have had opportunity to know of the condition of some of these political prisoners, especially in the state of Alabama. To be a Negro and to be charged with a political offense is much more serious than to be white and to be charged with the same offense.

In the state of Georgia, that is during the time I was in prison in Fulton Tower, this was very evident to me. It is necessary not only to fight for special privileges for political prisoners; in some instances it is an absolute necessity that such a fight be put up to protect the lives of these prisoners.

After I had been in jail for some months they might have connived to take me out and string me up to a tree. They even threatened to do it. They would have put chains on me right in jail. But because of the sentiment on the other side, the vigilance of the toiling masses organized by the International Labor Defense, they decided finally that this was not the best thing to do.

Life Behind Bars

It is very difficult for many people to understand how life is for a prisoner who has been put behind the bars for his working class activity. It so happens that it is even difficult to explain just what this life is like.

We know that most of the jails in the South are very different from most of the jails in other parts of the country. In the South most of the jails are old, rotten and dilapidated. People are huddled up together in there and, in Fulton Tower, for instance, there is no differentiation between prisoners, no matter what the charge against them.

Most of the time the place is so congested that people cannot move around in it. In the Fulton Tower where I spent 26 months there were never less than 1,000 prisoners at any time, and sometimes as high as 2,000. The capacity is 400. As a result of these conditions, prisoners are actually forced to sleep one on top of the other. Three prisoners slept in a bunk supposed to hold two, and prisoners slept on the floor and under the bunks. And this is something which you must understand is dangerous. There are people there who are diseased. There are hardened criminals. To live under such conditions is enough to drive any person insane.

You Can't Read

In addition to this, for the political prisoner, there is the fact that he is not permitted to have any reading material, literature that deals with the fight, the struggle in which he himself was arrested. To be cut off from this is just like being cut off from life. As a matter of fact, often there is not much difference between such torture and death itself, because you know absolutely nothing of what is going on, you are not permitted to converse about the things in which you are interested, about any political, social or economic question, at all.

During the 26 months I was in Fulton Tower, I did not have a chance to get out of my little cell, about eight by twelve, except when my attorneys came to see me. All this time I was not permitted to get out of the cell for any exercise. Other prisoners, in some cases prisoners who had actually committed murders and other depraved crimes, were let out to walk in the lobby, and received other special privileges.

Of course, some of my persecution and torture was so barbarous because I was a Negro, and it aroused the prejudice of the officials, for a Negro to be arrested and tried for something that had nothing to do with the usual charges on which Negroes are framed.

"Leading Citizens" in Jail

As Mr. Brodsky (Joseph R. Brodsky, I.L.D. attorney, who gave the main report at the conference) has pointed out, in determining who is a political prisoner we must look at the motivation, not at the crime charged. We can detect the other side of it, too.

For instance, rich people, bankers and others who are really criminals in the true sense of the word—it happens that such people get arrested sometimes. But they are given all the special privileges in the world. I remember quite distinctly, a banker in Fulton Tower, who had been arrested for swindling people out of quite a few thousand dollars. Every morning they would let him out for exercise. Every evening he could go out for a ride. They let his wife come to see him as often as she liked, and even stay overnight with him. These are privileges we know are given to those prisoners who are looked on as "leading citizens."

80 Years for Stealing Shoes

There is another particular phase of the question that we should understand about prisoners in the South—victims of frame-ups and national persecution. In Fulton Tower most of the people brought in during my stay there were young kids—Negro kids, ranging in age from 12 to 22 years. This is one of the instruments which they use to keep Negroes down as an oppressed nation.

For instance, in some cases a Negro might take a roll or a loaf of bread, an apple, or something of that sort. He is then placed in jail with hardened criminals. He is huddled up with this type of people, and even given a sentence which an able-bodied adult could not be able to withstand.

For example, there is an instance I know of personally, of a Negro boy of 14. He was supposed to have stolen a pair of shoes, I believe. In some way or another they made out two cases against him, and gave him a sentence of 40 years on each. A kid of 14 facing 80 years on the chain-gang!

This is a situation which is true in every state of the South, because they know that it helps to keep people disorganized and divided, to impose these severe sentences on innocent individuals.

Campaign Can Win

To come back to the question of protecting the political prisoner. No doubt many people would be surprised to know just how effective a real campaign for the recognition of the status of political prisoners would be. When resolutions referring to me as a political prisoner were sent to Fulton Tower, the jailer had to come and discuss this with me. He said: "The law says you are guilty. To me you are no different from any other prisoners."

But at the same time this jailer, because of the protest, was forced to give me at times some special consideration.

Since we can force the jailers to recognize this status, in one way or another, I think that if the movement is intensified, if it is continued and broadened, we can not only force them to give special privileges to political prisoners, but we can force the enactment of a bill into law, providing for the punishment of jailers or wardens who attempt to deprive political prisoners of their rights as such.

Two drawings from Hugo Gellert's book, "Comrade Gulliver."

OLD GEORGIA RIOT LAW HIT IN HERNDON CASE

New York Attorney Attacks Constitutionality of Statute. Case Continues Today.

Georgia's ancient insurrection law was attacked from all sides yesterday as Judge Hugh M. Dorsey began the habeas corpus hearing for Angelo Herndon, negro communist, who was convicted in 1932 of attempting to incite to riot.

Lawyers for the negro asserted the law under which he was convicted is contrary to the constitution, which provides for free speech, free press and free assemblage.

And besides that, the attorneys contended, Angelo never attempted to incite a riot, anyway. He only made an effort to organize the labor forces in Georgia, they said.

The hearing was recessed at 5 o'clock yesterday by Judge Dorsey until 9 o'clock this morning.

Negro's Legal Staff.

Whitney North Seymour, of New York, a former assistant United States solicitor-general, heads the legal staff appearing for Herndon. His associates are W. A. Sutherland and Elbert P. Tuttle, well-known Atlanta lawyers.

Seymour contended Georgia's insurrection law has never been tested in the supreme court and that it is unconstitutional. Also, he declared, it is too vague and indefinite for any conscientious jury to convict a person charged with its violation.

The state's opposition to the habeas corpus is being presented by Major J. Walter LeCraw, assistant solicitor-general. He will have the concluding argument this morning.

Herndon was charged by the state in the original trial, before Judge Lee Wyatt, of LaGrange, with attempting to organize a negro republic in Georgia. To this, Seymour answered Herndon was only furthering the interests of the communist party in attempting to organize the labor forces in the state as a part of the general communist program throughout the "Black Belt."

"Force" Not Reasonable.

He declared that in all the communistic literature found in Herndon's possession at the time of his arrest, there was not a single word which advocated using force to overthrow the government. In one book, written by a clergyman, he admitted, there was one little passage which said something about force, but the New York lawyer asserted Herndon did not distribute this volume at all. He had it for his personal use, he said.

Seymour declared that even if Herndon had mentioned anything about "force," it really would not have been a threat against the Georgia govern-

ment because in the state in 1932 there were only 27 or so communist voters. He also argued that the negro was deprived of his liberty without due process of the law and that the nature of the evidence on which Herndon was convicted was unconstitutional.

The famous New York attorney came here specially for the trial and will leave for New York immediately following a decision on the case.

Herndon's defense is being paid for by the International Labor Defense and the communist and socialist parties and other organizations.

The United States Supreme Court recently refused to review the case because constitutional questions had not been presented in the correct form, the negro's attorneys said.

New York World Telegram

NOV 11 1935

Angelo Herndon Case and Fundamental Justice

By Joan Thomas.

PROBABLY many other readers of the World-Telegram besides myself were impressed with Heywood Broun's column of October 24, on the Supreme Court and Angelo Herndon. But I do feel that it would not be beside the point to express this appreciation, at a time when it is impossible to arouse too much feeling over such an important issue as the liberty of under-privileged economic classes and racial minorities in this country.

The case of Angelo Herndon demonstrates that the problems of these two groups are often not separate, but completely entangled in one another. He represents all those who would root out the antagonism between Negroes and poor whites which has been such an effective instrument in the hands of Southern employers and landowners in diverting away from themselves the workers' resentment against injustice and exploitation. He succeeded in convincing the unemployed of Atlanta, when he helped organize the demonstration there in 1932, that the people's horribly poor condition of life is not to be blamed primarily on blacks or whites, but on the men with capital who hire them and work them and reap benefits out of their misery.

Naturally, this new note of unity did not please the officials, who promptly arrested Herndon.

* * *

The decision of the Supreme Court, as Mr. Broun so skillfully points out, indicated no attempt to weigh the two sides of the question, but rather was a stubborn excuse for muffling the voice of freedom. Clearly, as Mr. Broun says too, justice, if it is exemplified by the judgments of the Supreme Court in this and other cases, bears no relation to fundamental human principles but is simply a technique by which the judiciary protects the interests of the established and privileged few of a given community.

But it is not the Supreme Court alone which reveals its bias either by silence or by adverse judgment. What about the press, that great molder of public opinion? It, too, cannot go completely exempt from charges of prejudice. The World-Telegram shows real integrity when it carries a piece such as this by Broun, or a story such as I read a few weeks ago, a story about sharecroppers who were beaten and some of them shot down dead during the strike of cotton-pickers in Alabama. But—and here I speak in general and congratulate your paper on being an exception—the fact that the prestige of the press is measured by the amount of widespread injustice which it overlooks is a dangerous token, if the well-being and development of American society are to be considered.

* * *

And what about the American people? Are they completely apathetic these days? Do reports of lynchings, kidnapings, vigilante raids and chain gangs merely lull them to sleep? Let us give them the benefit of a little doubt and assume rather that they feel more helpless about these matters than they actually are. Their sympathies should take a concrete form to meet every concrete situation.

If they want to prove that they have any human feeling the American people should take action now. If the Supreme Court refused to review Herndon's case they should not have thrown up the game then and there. Governor Talmadge, of Georgia, could not be impervious to millions of letters from Americans asking for Herndon's pardon, and if Herndon were released the American people would have accomplished something indeed. Not only would they have rescued a young Negro from death but also they would have cleared away some of this mist of unreality which has been surrounding the Declaration of Independence lately.

Northampton, Mass.

Labor-1935
Unions, Strikes etc.

Georgia

Other Editors Say

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THE CASE OF ANGELO HERNDON

(Editorial in the New York Evening Post, May 22, 1935)

The case of Angelo Herndon is crucial and of nationwide importance. It involves far more than the slow death on the chain gang of a young Georgia Negro because he happens to be a Communist.

Herndon was arrested in July of 1932 a few days after he led an unemployed demonstration of white and Negro workers to demand relief. No disorder marked the demonstration. His "crime" was the possession of a Communist pamphlet. He was convicted under a slave insurrection law of the pre-civil War era, providing the death penalty for

bringing, introducing or circulating within the State any printed or written paper, pamphlet, or circular for the purpose of exciting insurrection, revolt, conspiracy or resistance on the part of slaves, Negroes or free persons of color.

Georgia officials frankly admit that if Herndon's conviction is upheld by the Supreme Court, they will use the statute against all who can be regarded as advocating Negro equality or the right of Negroes and whites to organize in the same unions.

Eighteen other persons, six of them women, are under indictment under the same law. They are union organizers, and there is no pretense that any of them have taken any direct part in any violent, unlawful or subversive acts.

The race question is crucial in the struggle to organize the Southern worker and share-cropper. Maintenance of the color line is the core of anti-labor policy. The conviction of Herndon opens the way to crush the new labor and share-cropper organizations by the use of old slave laws, not only in Georgia but in Arkansas and in other former slave-holding states.

It opens the way to impose slavery not only on the black but on the white. It threatens the whole standard of living of the South, and the lowering of this standard is a menace to Northern labor and to Northern manufacturer. It constricts the national market, and it pulls down the standard of living everywhere.

What did the United States Supreme Court do when faced by this issue? It sidestepped. Justice Sutherland's decision is a mass of shabby technicalities. The majority who joined with him—including Chief Justice Hughes and Justice Roberts—declined even to hear the case.

All honor is due Justices Cardozo, Brandois and Stone who dissented and upheld Herndon's right to a hearing. But more honor goes to the young Georgia Negro, Herndon, who has the courage in the face of death and the chain gang to help organize the most miserable, the most divided, the most exploited workers in this country.

The fight to free Herndon is a fight to free Southern labor, in factory and on farm. The fight to free Southern labor is a fight to free Northern labor as well from the menace of low wages and of terrorist tactics to maintain low wages.

* * * * * * *

Economic security can only come for the wide masses of Americans when a new social order shall be inaugurated that will stand for maximum production and equable distribution of the necessities and luxuries of life; that will insist on prosperity for all instead of profits for the few; that will substitute cooperation for competition, and so end such evils as wage slavery, industrial reserve armies, slow starvation, police persecution and social injustice. Only then will all peoples of all colors enjoy the life that mankind should live, and race prejudice, that foul offspring of the competitive system, will lose its reason for being.—George S. Schuyler in the Pittsburg Courier.

Listeners Are Won By Angelo Herndon

Communism news

Guests of Group Theatre Fork Up Cash to Aid Radicals—Our Canadians Depart

By MARVEL COOKE.

THE ROOM throbbed with excitement. Two hundred-odd persons, guests of the Group Theatre, crowded the charming, low-ceilinged clubroom backstage of the Belasco Theatre on West Forty-fourth street after show hour Monday night to meet Angelo Herndon, whose name is now the symbol of courage.

Marvel Cooke

The room was restless. The damp, almost unbearably warm night was thick with the oppressive murk which attends summer rain. But the crowd continued to pour in from the street—gay girls, with close-cropped hair, clean, fresh faces free from cosmetics, sport togs and flat-heeled shoes; and blithe young men, most of them a little wild of hair and without ties. Well, perhaps it was a little warm for ties! And then, there was the Harlem contingent, just as high of spirit, but a trifle more conventionally garbed—outwardly, at least. Where was Angelo Herndon? The crowd grew a little impatient.

While we waited, it was easy to pick out Harlemites who plunged below 125th street that night to greet Angelo. They included Rose McClendon, startling in sombre black, Alston Burleigh, Bruce Nugent, whom we haven't seen for ages, rotund Dick Huey, now with the cast of "Three Men on a Horse," Emmett "Sam" Dorsey (Where is it you don't go, Sam?), Eddie "Yale" Morrow (ditto), Charles Moore, Lucille Black (You must see her new black felt cartwheel! It's a pip!), Zelma Jackson, Viola Deane, Dorothy Paul, Alma Vessells, Dr. Walter Whitfield, Oliver Foster, John Velasco, Mr. and Mrs. Morris "Chick" McKinney, Kenneth "Fats" Bright and Dr. Abe Washington...And they still poured in!

Soon it was evident that the room was too small to accommodate the guests—so through the musty maze of stage properties—drop curtains, victrolas, beds and all such theatrical accoutrement—we were led, via Clifford Odet's "Awake and Sing" set, to the auditorium of the theatre... Quite suddenly, there on the stage before us was Angelo Herndon, talking tensely with Cheryle Crawford, who, according to her own description, was main "introducer," and Bill Shelly, both members of the Group Theatre. So this was Angelo Herndon! He is a more vivid personality than pictures of him would lead you to believe. He is a slight young man, whose face, with its high cheek bones, fine nose, and delicate, sensitive mouth, seems chiseled from bronze. He wore a gray business suit, yellow shirt and a tie—a blue one.

* * *

SID BENSON, who organized the first defense committee in the South and who also set up the first Angelo Herndon defense fund in Atlanta, talked briefly on his three years' work among the share croppers in Alabama.

And then, Miss Crawford introduced Angelo. As a man, the crowd rose and gave him a rousing ovation ...He began to talk, groping first a

bit for words (the dropping of the g in the final ing was really quite charming) and then, as he warmed to his subject, he became inspiredly articulate...

You know his story as well as I—how he was framed for inciting insurrection, the tangible evidence being that he had in his possession copies of The New York Times, The Wall Street Journal and The Daily Worker; his incarceration for more than two years in a Georgia prison; his freedom on high bail provided by the International Labor Defense; and the recent Supreme Court decision, which, unless reversed, will send him back to the Georgia chain gang for from eighteen to twenty years. The sincere presentation of his story was far more eloquent than fine, academic oratory could possibly be. He was that crowd's hero...So with no evangelistic begging, coins and bills for Angelo's defense fund were willingly dropped into hats passed by Phoebe, Dorothy and Ruth.

What can you do to help keep Angelo from going back to Georgia's vicious chain gang?

Which reminds me that an ambitious group of youngsters calling themselves The Arrangements Committee for the Freedom of Angelo Herndon will meet Friday, June 21, at St. Philip's Parish House, 215 West 123d street, at 8:30 p.m. Mr. Herndon will speak at this meeting, to which the public is cordially invited. Members of the committee include Charline Sawyer, Betty Rothenberg, Frances Winge, James Yeargens, James Ashford, George Edmund, Elizabeth Scott and Lucy Graves.

BOWLING GREEN, KY.
TIMES JOURNAL
JUL 1 1935

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The state of Georgia will ask the lives of 17 alleged "Reds" for revolutionary activity among Negroes and white textile workers.

Arrested over a period of five years since March, 1930, when a drive was begun to rid Georgia of communists, the 17, among them four white women, await trial on charges of attempting to incite insurrection punishable by death under a 70-year-old Georgia law.

The trials are being held in abeyance pending final decision by the United States Supreme Court on the appeal of Angelo Herndon, Cincinnati Negro, who, first of the group to be tried, was sentenced to serve from 18 to 20 years imprisonment. He was convicted of attempting to incite southern negroes to rise up against the whites and establish a "black empire."

Herndon's appeal to the Supreme Court was recently denied on the ground that he had not properly raised a constitutional question, but the court later granted him a stoy of sentence pending a rehearing in October.

Herndon was found guilty under a law passed in 1866 which provides: "Any attempt by persuasion or otherwise, to induce others to join in any combined resistance to the lawful authority of the state shall constitute an attempt to incite insurrection."

When he was arrested conducting a meeting of negroes, Herndon was declared by police to have had in his possession inflammatory pamphlets advocating the overthrow of the government in 18 southern states, seizure of land belonging to whites, secession from the United States with establishment of an independent "black belt" nation for negroes in the southeastern United States, including Georgia.

"We demand that the land of the southern white landlords for years tilled by the negro tenant farmers, be confiscated and turned over to the negroes," the pamphlet read. "We propose to break up the present artificial state boundaries established for the convenience of the white master class, and to establish the state unity of the territory known as the "black belt," where the negroes constitute the overwhelming majority of the population. We demand that the negroes be given the complete right of self-determination; the right to set up their own government in this territory and the right to separate, if they wish, from the United States."

Herndon was convicted Jan. 16, 1933 before Judge Lee B. Wyatt in Fulton County criminal court. The state demanded the full penalty of death, but his sentence was placed at 18 to 20 years hard labor. He is at liberty under $15,000 bond.

Ann Burlak and Mary Dalton, white women, both of New York, were arrested with Henry Storey and Gilmre Brady, negroes, for distributing communistic literature and holding radical meetings here and indicted in 1930 after Joe Carr and W. H. Powers, of New York, both white, were arrested and indicted under Georgia's ancient insurrection statute in March of the same year. Ann Burlak is well known as an agitator in eastern labor centers.

During the exciting days of last September when violence flared throughout the South as a result of the calling of a nation-wide textile strike, Mrs. Leah Young and her sister, Annie Mae Leathers, white women of Atlanta, were arrested at the Exposition Cotton Mills while haranging strikers with Communistic utterances and circulating radical literature.

Then in October of 1934, in another round up of alleged Reds, the following negroes were arrested: Julia Weaver, Charles Weaver, Will Moreland, Joe Moreland, Fannie Aderhold, Ed King, John Grant, Lucille Lawrence and Zelma Ware.

While the state plans to ask the supreme penalty, it is considered highly unlikely that it would be invoked in any of the cases. The penalty gvien Herndon—18 to 20 years—is considered the probable maximum likely.

Radical agents, declared to be in the pay of the Communist International of Soviet Russia, for several years have sought to sow the seeds of discord among the southern negro, principally centering their activities in Georgia and Alabama, authorities charge.

Brooklyn, N. Y. Citizen
SEP 25 1935

BORO AUDIENCE HEARS HERNDON ON CHAIN GANG

Negro, Awaiting U. S. Supreme Court Hearing, Gets $78.70 Here

"Condemned to twenty years on the chain gang," according to his advance notices, Angelo Herndon, 21-year-old Negro who was convicted by a Georgia court of inciting to insurrection, continues today on his road to the United States Supreme Court knowing that he has won hundreds of friends by virtue of his speech in a Brooklyn church last night.

Four hundred persons heard the convict, now out on $15,000 bail pending a hearing before the nine Supreme Court Justices in October, describe the horrors of Negro oppression in the South and appeal for aid. The meeting was held in the basement of the Kings Highway Congregational Church, Avenue P, and East Eighteenth street, where Dr. Herman F. Reissig, the pastor, introduced Herndon and his colleague of the same race, Frank L. Griffin, an organizer of the International Labor Defense.

Herndon told the audience of his twenty-six months imprisonment in Fulton Tower jail, Atlanta, where he was confined after his arrest for breaking a Georgia law passed in 1861 prohibiting the circulation of seditious literature and incitement to insurrection. Herndon's organization of a demonstration by white and colored persons who wanted more relief appropriations brought him to the attention of the authorities, he said.

Ruled Against Him

"My case is only a symbol of the oppression of Negroes and the whole working class in the United States," Herndon said. Pointing out that the Supreme Court decided adversely against him last May and that a motion for a re-hearing will be heard in October, Herndon said. "This decision means that if you read this or that book you will not be safe from the law in Georgia and other States."

Hundreds of telegrams and letters from the Atlanta jail. The food was bad ter took Herndon off his diet of ham and eggs for breakfast, but ice cream, fruit and other things," Herndon said.

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Norman Thomas Urges Broad United Front to Defeat 'Barbarous Chain-Gang Sentence' of the Young Negro Leader

By ROBERT WOOD

CHATTANOOGA, Tenn., Oct. 30.—In a stirring challenge to several hundred delegates and others, Norman Thomas called for a broad united effort to secure the freedom of Angelo Herndon. "This barbarous chain-gang sentence against Angelo Herndon shows and warns us that liberty is not secure in our country. This gross injustice perpetrated upon Mr. Herndon calls for concerted and unceasing mass pressure by all who love liberty," Thomas declared.

Delegates to the two-day Conference on Social and Economic Problems in the South, initiated by the League for Industrial Democracy, showed their agreement with the urgent need for supporting the campaign for the release of Herndon. Dozens of signatures of leading trade-unionists and liberals from seven Southern states, were added to the protest signature roll.

Outstanding Leaders Sign

Among the signers were Bernard Borah, member of the Knoxville Central Trades Council, secretary of its Organization Committee, and chairman of the State Executive Committee of the Socialist Party in Tennessee; Miss Walter Brady, secretary of Local 90, Amalgamated Clothing Workers of America; Coy E. Fulton, secretary of the Carpenters' Union on Wheeler Dam and former secretary of the Tri-States Central Trades Council; Stanton E. Smith, president Local 246, Teachers' Union, Chattanooga; Dr. William R. Amberson, Professor of Biology in the Medical School of the University of Tennessee; Dr. O. G. Hughes, Chattanooga; John T. Moutoux, Staff Correspondent for Knoxville News-Sentinel; Leon Jourolmon, attorney, Knoxville; Mrs. Blanche G. Eisendrath, writer and leader in the Chattanooga Forum; Rev. John M. Miles, Negro leader and editor of the Chattanooga Observer; Anne Cameron, member of the International Union of Bakery and Confectionery Workers and member of the Chattanooga Business and Professional Women's Club, and Livingston Smith, secretary of the Socialist Party in Knoxville.

Many other trade-unionists signed the petition to Governor Talmadge including Lucille and Marjorie Thornbrough, members of the American Federation of Government Employes. Many members of the United Textile Workers added their signatures.

Students Lend Aid

The student delegations attending the Conference joined the protest. A delegation of Negro students from Fisk University in Nashville, Tenn., and the student delegation from Black Mountain College, Black Mountain, N. C., added their signatures.

Among the speakers at the Conference session on the "Shadow of the Plantation," H. L. Mitchell, secretary of the Southern Tenant Farmers' Union, described the recent victory forced from the landlords in Arkansas and Oklahoma by the militant struggle of thousands of Negro and white farm workers, despite a reign of intense terror.

Larry Ward, an organizer for the Sharecroppers' Union, was called upon to address the Conference. Ward vividly traced the history of the union. The Chattanooga Times reported: "Ward, pale, impassioned and afire with his subject, talked on the struggle of the Share Croppers' Union in the Black Belt of Alabama from 150 members and the death of a union leader in 1931 (murder of Ralph Grey—R.W.) to its present strength, in excess of 10,000."

Anti-Labor Violence Cited

The Times' report, quoting Ward continued: Violence against workers' organizations is so rife that 'the cradle of the Confederacy had become the cradle of American fascism.'"

Proposing a united front of all agricultural workers, Ward called for unity between the Southern Tenant Farmers' Union, the Share Croppers' Union and the Farmers' Union, for a joint organization drive in the farm land, and for ultimate affiliation with the A. F. of L. Referring to the recent victorious cotton pickers' strike, Ward added: "White tenant farmers and workers are in sympathy with Negro workers there, and the Share Croppers' Union is proposing a southwide agricultural union."

H. L. Mitchell, Norman Thomas and other speakers repeatedly called for a destruction of the artifical division between Negro and white workers fostered and nurtured by the ruling class. "We must build trade unions, farm workers' unions and consumer cooperatives in the South irrespective of race lines," Thomas stated.

In the session on "Social Costs of Economy in Education," Bill Moseley, District Organizer of the Communist Party, stated the need for unity btween teachers and students. Hailing the step now under way for organizational unity of the student movement, he added that organization throughout the South in the academic field must be based on an uncompromising basis of unity of Negro and white teachers and students. Pointing to recent attempts at stifling freedom of expression embodied in the reactionary "loyalty oaths" and other repressive measures, Moseley stressed the need for organized and active mass resistance against these enroachments against academic freedom.

This session was addressed by John Dillingham, a Negro educator, who vigorously declared that the Negro people "cannot pull themselves up by their boot-straps" but must unite with the white workers and intellectuals in order to better their conditions and in the struggle against reaction.

Teachers Exploited

Stanton Smith, president of the Teachers' Union, Chattanooga, spoke of the need for organizing the teachers in order to ward off wage-cuts and "stretch-out" (larger class room loads—R.W.). Miss Mary C. Barker, Atlanta teacher and former president of the American Federation of Teachers, gave many figures showing the alarming extent to which Southern schools were being closed for reasons of "economy." Miss Barker cited figures showing the increased criminality among illiterate children. Statistics were presented on the low wage scales paid Southern teachers and on the differential existing between white and Negro teacher.

At the session on the "Rise of Southern Labor," Coy E. Fulton, Alabama labor leader, spoke about the growing awareness of Southern labor on the need of unionization. Fulton pointed to the mixed locals existing in the Hodcarriers' Union in some sections of the South, and expressed the opinion that one of the first needs for strengthening the trade union movement throughout the South is to extend the start made in the Hodcarriers' Union, in uniting all labor in the South in unions including Negro and white.

I. L. D. Leader Speaks

Citing the terror used against militants in trade-union ranks and the attempts to suppress the exercise of basic democratic rights, Robert Wood, Southern District Secretary of the International Labor Defense, called upon the delegates to unite their ranks in taking the offensive in retaining and reasserting the rights of the working people and their allies to free speech, press and assembly; to the rights of unionization, to the right to strike and picket.

Detailing the terror used against workers in Birmingham, Atlanta and other sections of the South, Wood informed the delegates of the nature of the anti-labor Downs "literature" ordinance in Birmingham, of its use not only in trying to railroad Communists and other militant workers to jail but also of its use as a club over all labor in Birmingham.

Miss Mary W. Hillyer, I. L. D. Lecture Secretary, and organizer of the conference, in the concluding session urged the delegates to support the forthcoming Second All-Southern Conference for Trade-Union Rights and Civil Liberties. Every delegate was asked to communicate with Prof. Arnold Williams, Chapel Hill, N. C., secretary of the Preparations Committee for for the ensuing conference.

Angelo Herndon Must Go To the Chain Gang

LAST week's refusal by the supreme court to review the action of the Georgia courts in convicting and sentencing Angelo Herndon means that this young radical must go to the chain gang for from eighteen to twenty years unless Governor Talmadge intervenes with a pardon. Such a sentence, if carried into effect, is probably equivalent to a death sentence. It is impossible to believe that young Herndon—whose physique is anything but rugged—can survive a generation of such torture. Without attempting to go into all the details of the Herndon case, it can be said that it gives every promise of becoming even more famous in the history of radical movements than the case of Tom Mooney or of Sacco and Vanzetti. Herndon on the chain gang will be a perfect symbol for radicals of the brutality and injustice of the present American order. After all, it is possible for the conservative to argue that the conviction of Mooney or of Sacco and Vanzetti at the most represented only a mistake in the identification of culprits—a matter not necessarily connected with the class struggle. Scores of persons were killed in the San Francisco parade explosion, and the Massachusetts paymaster was undeniably murdered. In other words, Mooney, Sacco and Vanzetti were at least allegedly punished for actual crimes. But nothing happened to bring this savage punishment down on Herndon. Nothing was involved except a protest at a relief station in which nobody was hurt. But a society jumpy over an alleged red menace seized with nerves jumping incident to revive a forgotten law—on this trifling incident with a Negro uprising feared in 1866—the lead in asking passed to deal with it as a means of inflicting a punishment which is nothing than social sadism. The south should take Governor Talmadge to pardon Hern-

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Angelo Herndon Must Go To the Chain Gang

10-30-35

LAST week's refusal by the supreme court to review the action of the Georgia courts in convicting and sentencing Angelo Herndon means that this young radical must go to the chain gang for from eighteen to twenty years unless Governor Talmadge intervenes with a pardon. Such a sentence, if carried into effect, is probably equivalent to a death sentence. It is impossible to believe that young Herndon—whose physique is anything but rugged—can survive a generation of such torture. Without attempting to go into all the details of the Herndon case, it can be said that it gives every promise of becoming even more famous in the history of radical movements than the case of Tom Mooney or of Sacco and Vanzetti. Herndon on the chain gang will be a perfect symbol for radicals of the brutality and injustice of the present American order. After all, it is possible for the conservative to argue that the conviction of Mooney or of Sacco and Vanzetti at the most represented only a mistake in the identification of culprits—a matter not necessarily connected with the class struggle. Scores of persons were killed in the San Francisco parade explosion, and the Massachusetts paymaster was undeniably murdered. In other words, Mooney, Sacco and Vanzetti were at least allegedly punished for actual crimes. But nothing happened to bring this savage punishment down on Herndon. Nothing was involved except a protest at a relief station in which nobody was hurt. But a society with nerves jumpy over an alleged red menace seized on this trifling incident to revive a forgotten law—passed to deal with a Negro uprising feared in 1866—as a means of inflicting a punishment which is nothing more or less than social sadism. The south should take the lead in asking Governor Talmadge to pardon Herndon.

'Confident of Victory,' Herndon Says in Letter

Negro Hero Writes Hathaway of Firm Belief Working Class Will Soon Bring Case to Successful Conclusion

"I have never felt so confident before, even during the whole long three and a half years of fighting, that the working class will soon bring the case to a final and successful conclusion."

From the Georgia bastille in which the ruling class has imprisoned him, Angelo Herndon, heroic young Negro worker condemned to slow death on the barbarous chain gang, has sent these courageous words in a letter glowing with the spirit of struggle and faith in the labor movement.

Text of Letter

The letter, addressed to C. A. Hathaway, editor of the Daily Worker, follows:

"Dear Comrade Hathaway:—

"I wanted very much to see you before I left, but you will understand that it was quite impossible under the circumstances.

"I want, through you, to reassure all of my friends that although I have been thrust back into Fulton Tower—and no doubt will be sent to the chain gang—I do not feel in the least bit defeated, nor have all our efforts been futile.

"After all of the experience it would seem that all my hopes are shattered, but I have never felt so confident before, even during the whole long three and a half years of fighting that the working class will soon bring the case to a final and successful conclusion.

"You will understand that it is difficult to express my real feelings under the circumstances. We often use the phrase that "we are a part of a whole class within society"—but I wonder how many of us have really had that feeling. The point that I'm trying to put across is when we know that we are blood and flesh of the same mind, it gives new life, courage and inspiration to any path or individual from that group or class not only to go forward in the fight, but to be so fortunate enough to sacrifice and give his all in the fight for freedom—moreover to symbolize it.

"I concede that some time it seems that every effort we make to obtain our rights is looked upon with contempt and cold indifference, as if the indignant voices of millions of people was never heard. But this is contrary to all common sense. A ruling class of despots cannot maintain themselves by crushing or ignoring every cry of millions whose only interest is in preserving and protecting the rights of the majority. Every voice they crush, every cry that is ignored is evidence that they feel the effects of such a fight—which is inevitably destined to lead to their defeat.

"Best regards to Mother Bloor and all the comrades.

"Yours,

"Angelo Herndon."

Angelo Herndon

Chain Gang Order Stayed

Herndon entered Fulton Tower prison on Oct. 28 to begin serving his sentence of from 18 to 20 years on the chain gang following the refusal of the United States Supreme Court to act in the case. His transfer to the chain gang has been temporarily stayed by the filing of an application for a writ of habeas corpus by Attorney W. A. Sutherland, retained by Whitney North Seymour of New York, who has been retained by the International Labor Defense. The application for the writ is scheduled to be argued Nov. 12.

Herndon was arrested in Atlanta in 1931 on an old pre-Civil War slave insurrection statute because he tried to organize Negro and white workers to win higher relief.

A signature campaign to secure Herndon's pardon by Governor Talmadge is now under way. Organizations and individuals are urged to speed up the collection of signatures. Petition lists may be secured from the national office of the International Labor Defense, 80 E. 11th St., New York, as well as from local offices.

Organizations are also called on to send protest resolutions to Governor Talmadge.

NEGRO COMMUNIST TO SEEK FREEDOM

Angelo Herndon, In Atlanta Jail Plans Another Appeal To High Court

ATLANTA, Nov. 9.— (AP) —Angelo Herndon, negro communist, plans another court effort for reversal of a verdict that he attempted to incite insurrection and set up a republic in Georgia, Alabama and South Carolina.

The Cincinnati negro, held in jail here, said in an interview today his attorneys would launch another attempted to obtain his release on a writ of habeas corpus Tuesday next.

Herndon was convicted under a Georgia statute, passed in reconstruction days, under which the death penalty may be assessed for insurrection.

The jury in his case, however, fixed his punishment at 15 to 20 years.

Herndon said he was anxious to regain his freedom so "I may continue my work for the labor movement to better conditions."

He said he hoped the case would get to the Supreme Court of the United States again for a ruling on the Georgia insurrection law. The Supreme Court declined several weeks ago to review the case, but did not pass on the merits of the statute.

"I maintain the insurrection law violates the constitutional guarantees of free speech and free press," Herndon said.

He was convicted in 1932. He admitted communist literature was found in his room.

"I have been a communist five years," he said, "I joined the party in Alabama after a judge sentenced me to a year on the chain gang for 'vagrancy.'"

Herndon said the expenses of his appeal were being paid by the International Labor Defense. He said the communist and socialist parties were obtaining 2,000,000 signatures on a petition to Gov. Eugene Talmadge seeking a pardon.

He said the League for Industrial Democracy, the National Negro Bar Association and the Federal Council of Churches also were helping in his fight for freedom.

Herndon, who returned to jail from a stay in New York, gets more mail than all the rest of the 380 prisoners combined, County Jailer Bob Holland said. Most of the mail is postmarked New York.

DECISION IS DELAYED ON HERNDON APPEAL

Hearing Ends, But Judge Withholds Ruling Pending Study of Evidence.

Hearing of the habeas corpus petition of Angelo Herndon, convicted negro communist, was finished yesterday in Fulton superior court, but Judge Hugh M. Dorsey reserved announcement of his decision.

The judge said he would rule on the petition as soon as he has time to read evidence and cases cited by the lawyers during the hearing.

J. Walter LeCraw, assistant solicitor, who opposed the petition of Herndon, yesterday answered the arguments of Whitney North Seymour of New York, former assistant United States solicitor-general, who told the court Georgia's insurrection law is not only unconstitutional but is too vague and indefinite for conviction by any jury.

LeCraw denied the law is unconstitutional and said the fourteenth amendment, to which Seymour contended the Georgia law is contrary was never intended to be absolute in guarantee of free speech in that there is a limitation on free speech which denies the right of defaming the character of a virtuous woman, advocating the forceful overthrow of the government, or any statement tending to cause a breach of the peace.

Herndon, LeCraw said, plotted the overthrow of the government and the setting up of a negro republic in the belt from Virginia to Texas. The negro, declared the solicitor, was a paid organizer of the communist party and had signed up a number of members, every one of whom was sworn to carry out the program of the international communist party as to the abolition of private property and the overthrow of the present form of government. Literature found in his possession advocated negroes seizing all property now belonging to white persons and ruling the south, the solicitor said.

Seymour previously contended Herndon should be freed of his sentence of 18 to 20 years on conviction of attempting to incite a riot, because the law under which he was convicted is unconstitutional and has never been tested in supreme court. He and Elbert P. Tuttle and W. A. Sutherland, Atlanta lawyers, represented the negro in his petition. Herndon is still held in jail at Fulton tower.

ress Fight for Herndon

THE hearing in Fulton County Superior Court, Atlanta, Ga., on the application for a writ of habeas corpus to rescue Angelo Herndon from the chain gang, showed clearly the line-up of all the reactionary forces in that State in a determined red-baiting drive to send the heroic young Negro labor organizer to torture and death on the chain gang.

Leading the red-baiting were the judge himself, Hugh L. Dorsey, the Assistant Solicitor General Walter LeCraw and Major A. L. Henson, head of the Georgia American Legion Honorary Society. These gentlemen joined in a venomous attack on the democratic rights of the Negro masses, on the program of the Communist Party for the national liberation of the Negro people. Herndon, they raged, dared to advocate self-determination for the Negro majorities in the "Black Belt" of the South.

In their attempt to blur the fact that Herndon was convicted for leading a successful relief demonstration of Atlanta white and Negro workers, these Georgia officials further convict themselves of fascist-like violence against the rights of the American people to free speech and assembly.

Judge Dorsey will give his decision within the next few days. The fight for Herndon must go on with renewed vigor and determination. Flood Governor Eugene Talmadge with demands for his freedom. Push the campaign for 2,000,000 signatures to the petition for Herndon's release. Rush funds to the International Labor Defense, 80 East 11th Street, New York City, to enable it to prosecute the mass and legal fight for Herndon's freedom.

Labor-1935
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Georgia

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Herndon's return to New York does not mean that he is free. In a sense, we can say that the fight has just begun; that we have prepared the way for that tremendous united front battle which will return Angelo Herndon unconditionally to the ranks of the working class. The protest movement can free him definitely from the threat of death on the chain-gang, smash the slave insurrection law under which he was convicted, and with it the indictments against eighteen other people charged under it in Georgia.

This is the task that lies before us, and it is indeed a great one.

Legal Fight Not Over

What has been the effect of the decision of Judge Hugh M. Dorsey of Fulton County Superior Court? First of all it has freed Herndon on bail. Second, it has made it possible to appeal his case to the United States Supreme Court, once again. The decision forces the courts to consider the constitutional points so brilliantly raised by Whitney North Seymour, retained in the case by the International Labor Defense. Our experiences with the Supreme Court, which has twice refused to free Herndon already, show us what a fight is on our hands.

That the State of Georgia will appeal Judge Dorsey's decision to the Supreme Court of that state seems unquestioned. This is the same court which, in the Carr case, declared the Georgia slave insurrection law, under which Herndon was convicted, constitutional. Georgia's solicitors will now go before this court, asking that it maintain this position. Herndon's attorneys will demand that this court reverse itself to uphold Judge Dorsey's decision. From the legal point of view, the Herndon defense has a much more difficult job than the state prosecution.

The Crawford Case

Many questions have been asked. Many persons have expressed the opinion that the court is unlikely to want to reverse Judge Dorsey. Both politically and from a legal point of view, such a position is without foundation.

There are very few precedents to go by, in the legal phase of this question. It is a very rare thing for a county judge to declare a law unconstitutional. It is more rare for him to be sustained by higher courts, seats of greater reaction and jealous of their position besides.

One outstanding example of such a situation comes immediately to mind—the case of George Crawford. A Boston federal judge granted a writ of habeas corpus to George Crawford, a Negro, upholding his contention that he need not surrender himself for trial in Virginia because the jim-crow Virginia jury system was unconstitutional, and no constitutional trial could be given him in those courts. The state appealed. The Circuit Court of Appeals overruled the lower court, voided the writ. Crawford was extradited, tried by a lily-white jury, and is now serving a life-sentence on a murder charge in Virginia.

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We must realistically face the situation that the biggest fight to free Herndon is just beginning.

At the same time, we must realize that the foundations have been laid for increasing manifold the united fight for Angelo Herndon. Masses have been activized in this case which have never been involved in a defense issue before. Literally thousands of people were directly involved in the drive to raise the $15,000 cash bail for Herndon last year. Thousands more were brought into the fight as the case was appealed to the United States Supreme Court. Tens of thousands flocked to meetings in every part of the country to hear Herndon speak, to express their solidarity with this fighter for the rights of the toilers, their indignation against the monstrous 20-year chain-gang sentence imposed upon him.

Thousands are asking — "has final freedom been won for Angelo Herndon?" The legal battle in this history-making fight for this Negro son of the working class is not over. Whereas in the past a tremendous united movement has been created, still broader numbers of people must be rallied to win the final victory in this case—unconditional freedom.

Unity Work Just Begun

Then, as the fight progressed, after the refusal of the Supreme Court to review the case, tens of thousands were brought into activity to collect the more than a million signatures demanding that Governor Eugene Talmadge of Georgia free Herndon. Organizations, trade-unions, moved in this case in bodies. The Socialist Party took part officially in the campaign. Negro organizations, trade-unions, churches, endorsed it and set to work. Congressmen, mayors of large cities, state representatives were moved to expressions of indignation against the chain-gang sentence. The American Federation of Labor, at its recent convention, passed a resolution denouncing the insurrection law. The Joint Committee to Aid the Herndon Defense, a united front body composed of six national organizations was formed, to extend the work initiated by the International Labor Defense. It performed tremendous tasks in mobilizing support for the defense. The united front of Herndon defense has just won its first major victory.

But how was this united front of defense accomplished? It did not just happen. The sentiment in favor of action to free Herndon existed. It was present in every part of the country. It existed in every strata of the population. But scattered and haphazard, it could not be effective. It was necessary to organize it. It took hard work, correct and careful work, to crystalize it.

Fight Must Be Intensified

The work of the districts and branches of the International Labor Defense must be recognized as a decisive factor in this task as it has been accomplished so far, as it will be enlarged in the future.

Here we must refer not only to their work in the Herndon defense which has been very great, but to their work in the Scotsboro case, in other national, and scores of local cases, in which the links were forged with hundreds of local organizations, the basis laid for the united action which has gained this victory in the Herndon case. The especially fine work done in Harlem in this connection is outstanding in the history of the Herndon defense.

I have already indicated how the united front of mass defense was built up in the Herndon case. Our task now is to continue to build. We have now the possibilities for building much faster, and much bigger, than ever before. Building of the I.L.D. itself as the moving force, is an essential part of this work.

It must be done. The courts will continue, as they have in the past, to seek ways to get out of favorable ruling on the Herndon case. Action that will free Herndon unconditionally can only be forced through a greater building of organized mass protest, expressed in the further collection of signatures, from new people who can now be reached, through a greater organized protest to Governor Talmadge of Georgia.

Broader Fight Needed

The Herndon victory is one that gives energy, enthusiasm, courage, in the whole struggle against terror and reaction. That which seemed to many to be impossible has been accomplished. He has again been saved from the chain-gang, again freed on bail, even though this freedom is only temporary.

The great lesson we have to learn from this victory is the power of united action, the absolutely essential necessity of organizing the united front of defense.

The inspiration of this victory must be used to extend the united defense movement. The motives behind the persecution of Herndon are the same as those behind the most recent Tampa, Fla., kidnaping and murder, essentially the same as the motives behind the Scottsboro, Gallup, Sacramento frame-ups. The same forces of reaction are keeping Tom Mooney and Warren K. Billings in jail.

If it was possible to win this victory in the Herndon case, why is it not possible to build a united movement of defense and relief for political prisoners that will set Herndon unconditionally free, that will bring other victories in these and the many other labor defense cases? This terror can and must be broken. It is possible. This is our task now.

Daily Worker
12-4-35
New York

New York Herald-Tribune

DEC 9 1935

Herndon Seen By Labor Units Here as Martyr

Young Negro Communist and 'United Front' Men Observe Georgia Victory

Disavows 'Insurrection'

1,000 in Crowd at Station; Thomas Sends Greeting

Angelo Herndon, youthful Negro Communist, after a sleepless night in a day coach from Atlanta, arrived at Pennsylvania Station yesterday afternoon, having again defeated the legal talent of Georgia which had attempted to jail him for eighteen years for "inciting to insurrection." Under the terms of an old reconstruction law, passed in 1866, Herndon was convicted of attempting to set up a Negro republic in Georgia in 1933, and since then his case has attracted the attention of various liberals, laborites and radicals, and more recently Communists and Socialists in a united front.

On Saturday Judge Hugh M. Dorsey, of the Superior Court in Atlanta, found the old law unconstitutional and called it "too vague and indefinite" for such a severe sentence. The state must now appeal his ruling within twenty days, and in the interim Herndon is free on $8,000 bail to act the part of the best radical martyr since Tom Mooney.

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"The first thing I did when they let me out of jail," he said to forty admirers who met him at Newark and rode along with him, "was to send a message to the Scottsboro boys, in jail in Birmingham, telling them not to lose heart. The cause of the workers in the South will not go down to defeat."

Angelo explained to reporters that the charges against him were absolutely false, being based on some Communist literature in his pockets. What he really did, he said, was organize a procession of 1,000 unemployed, both Negro and white, late in 1932, before the Federal government had undertaken wholesale administration of relief. The group marched to the court house to demonstrate and he was arrested; although the jury that tried him recommended mercy, the judge gave him the maximum sentence.

Members of the International Labor Defense, which has taken the lead in fighting his sentence, rode with him from the South. In Philadelphia Miss Anna Damon, secretary of the organization, met him, and at Newark the local welcoming committee, led by James W. Ford, Negro, former Communist candidate for vice-president, and Miss Mary Fox, of the League for Industrial Democracy, got aboard the train. The stuffy day coach resounded as the greeters sang "Solidarity Forever" and echoed with their cheers when Angelo blushed after receiving a dozen very red roses from an admirer.

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party gently toward Seventh Avenue, where Angelo was deposited into a taxicab.

"Where you 'goin', Angelo?" the crowd shouted.

"I'm going to sleep a while, comrades," he answered.

Others in the welcoming party said there would be a mass meeting arranged within the next week to raise additional funds for Herndon's defense.

SAVANNAH, GA.
PRESS

DEC 11 1935

HERNDON'S FATE UNSETTLED.

The finding of Judge Hugh M. Dorsey of the Fulton County Superior Court that the statute under which Angelo Herndon, the negro communist, was convicted and sentenced in Fulton county is unconstitutional, will probably attract more attention outside the state than within the confines of Georgia. The case of this negro has assumed undue proportions because of outside interference and the activity of those who are interested in the cause of communism.

This is the negro, it will be recalled, who was arrested in Atlanta when much communist literature was found in his home. He was tried under an act which charged him with attempting to establish a negro republic and overthrow the government in Georgia and other Southern states. He received a sentence of eighteen to twenty years and this sentence was upheld in the appellate courts.

Through some legal machinations the case got before Judge Dorsey, a former governor of the state, and the constitutionality of the statute was attacked. Judge Dorsey on Saturday held the act under which the negro was convicted to be unconstitutional. This, of course, was tantamount to an acquittal for Herndon.

His friends have put up a bond of $8,000 for him, secured by United States bonds, and the state authorities announce there will be an appeal to higher courts in Georgia and even to the United States Supreme Court if necessary.

Herndon, leaving the Atlanta jail, announced he would spend a week in Atlanta and then go to New York, where he expects to arrange for a tour to the Pacific coast speaking on communism.

The anti-sedition statute has been on the books in Georgia since 1866. It has not been seriously atacked before.

In his decision Judge Dorsey upheld the defense contention that the statute as construed and applied in this case "is in conflict with the Fourteenth Amendment of the Constitution of the United States, in that it is too vague and too indefinite to provide a sufficiently ascertainable standard of guilt, and is also in conflict with Article 1, Section 1, Paragraph 3, of the Constitution of the state of Georgia for the same reason."

We expect to hear much more from this decision before it is finally upheld if the case is remanded for further hearing in Georgia.

FORT WORTH, TEX.
PRESS

DEC 12 1935

EQUAL AND EXACT

LAST week a Superior Court judge in Georgia did what the U. S. Supreme Court majority refused to do last May. He cut through technicalities and declared the conviction of the negro Angelo Herndon to be "unconstitutional, illegal, void and of no effect."

The Herndon case is the South's celebrated cause. Accused under an old and almost forgotten 1866 anti-insurrection law of trying to establish a negro republic and of enlarging the Communist party in Atlanta, Herndon was sentenced to 18 to 20 years in prison. The arrest followed his action in organizing a relief appeal of about 1000 Georgia families, of whom 600 were white.

Judge Hugh M. Dorsey found that application of this statute to Herndon's activities was in conflict with the 14th Amendment and also the Georgia constitution. The U. S. Supreme Court majority had refused to consider the case on a technicality.

Judge Dorsey has sustained law and enrobed his court with dignity. He has said that regardless of the color of a defendant's skin or political doctrine he is entitled to the shelter of the Constitution. He has upheld what Jefferson called "equal and exact justice to all men of whatever state or persuasion."

The Pilot
DEC 11 1935

The Ill-Smelling Herndon Case

Judge Hugh M. Dorsey's decision holding unconstitutional the Georgia "incite to riot" statute under which the Negro Communist, Angelo Herndon, was convicted and sentenced to imprisonment for 18 to 20 years, is the first read judicial blow this obsolete statute has ever received. It dates from slavery days, and was designated to prevent an uprising by bondsmen. Later it was amended by carpet-baggers to prevent an uprising by whites. It was dug up from under the dust which had coated it for decades, in order that Georgia might deal with a Negro Communist who had organized a relief demonstration. Nobody had ever tested the statute before.

Herndon was convicted not on the basis of anything he said or did, but for possessing in his room certain Communistic documents which were alleged to constitute a violation of the statute in that they contained "revolutionary" sentiments and in themselves were incitements for overthrowing government by violence. The Supreme Court of Georgia found no fault with the trial. The Supreme Court of the United States denied a writ of certiorari "on the ground that the question of the constitutionality of the statute as interpreted by the courts of Georgia had not been properly raised." But when the issue of constitutionality was raised through a writ of *habeas corpus*, Judge Dorsey's decision was unequivocal. He holds that the statute conflicts with the Fourteenth Amendment. It is "too vague and indefinite," he said, "to provide a sufficiently ascertainable standard of guilt."

From this decision there will be an appeal that will reach the Supreme Court of the United States. The conviction would seem difficult to sustain there, since the Supreme Court has laid down the doctrine that "clear and present danger to the state" must be shown in incitements. But that is necessarily speculation. The important fact now is the promise of a clear-cut decision on a pernicious law of curious history: a legal weapon designed by whites for use against blacks, later amended by the carpet-bagger friends of blacks for use against whites, and now used in the Herndon case by whites against blacks. Even the Georgians who exhumed the statute from a dead past should welcome the final word on its constitutional validity today.

NORFOLK, VA.
VIRGINIAN PILOT

DEC 11 1935

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Labor-1935
Unions, Strikes, etc.

Georgia.

MADISON, WIS.
CAPITAL TIMES

DEC 13 1935

Common Sense If Not Liberalism

THERE was perhaps little liberalism, but abundant common sense in the words with which Judge Hugh M. Dorsey of the Fulton county, Georgia Superior court handed down the ruling that the statute under which Angelo Herndon, Negro "radical," was convicted and sentenced to the Georgia chain gang was unconstitutional.

The prosecutors went back to an old law passed in 1866 to prosecute Herndon, whose only offense consisted of leading about 1,000 poverty stricken whites and Negroes to the county relief headquarters and asking for a better relief allowance. Herndon also was alleged to be a member of the Communist party.

The statute under which Herndon was convicted was passed immediately after the Civil war as a guard against insurrection. Its application against the leader of a group engaged in an orderly protest against the manner in which they were forced to live was unwarranted.

Judge Dorsey went back of that viewpoint and held that the law was unconstitutional under both the federal and the Georgia constitutions. Without being a liberal, he recognized the vicious application of the law which was possible and exercised sound common sense.

Unfortunately, the red-baiting prosecutors of Fulton county aren't willing to let the matter rest. They plan to carry the case to the state supreme court.

Meanwhile, Herndon has been released on bail and for the time being, at least, is not serving a 20-year sentence on the chain gang for trying to get a bit more food for a few of Georgia's unfortunate unemployed.

Georgia Challenges Civilization

By Wm. Pickens

ON the evening of October 23, at the Manhattan Opera House in New York City, thousands of people came together to bid farewell to Angelo Herndon, young communist, who seems to be finally condemned to serve a term of years, or as long as he can live; in a Georgia chaingang—for no crime; unless it be a crime to be active in a working-class or radical party movement.

The boy, only 22 years old has not stolen anything, not murdered anybody, nor committed assault. He helped to organize colored and white unemployed in Atlanta to demand better relief from the authorities. No violence was committed, and there is no evidence that any was contemplated. Herndon, being more intelligent than more of those in the organization, was very active as a leader. The authorities singled him and a few others out for destruction.

Grim Joker

An ancient law, made first to suppress salve rebellions, and very savage even when that is considered: was dug up from among the buried statues of the state; and he was tried for inciting to insurrection and threatened with death—the charge being so horribly unjust that even the Georgia jury or white men recommended "mercy" to keep the lad from being put to death, as the old law allowed the death sentence. This mercy is a grim joker when it means 18 to 20 years in a Georgia chaingang — a longer time than stronger men than Herndon could ever live in that institution.

Herndon stands today unafraid in the face of this very hell. There is not an official in Georgia who would be held as calm and courageous in the face of such a fate as is this young Negro. His friends and supporters; numbering many communists; fewer socialists; and representatives of all other political groups; and of all races and religions; met to honor him and to pledge their continued agitations toward the end of releasing him from prison. Knowing Georgia as we do and taking into consideration the reputation of its present governor we see no way in which this release can be effected short of revolution and physical force; which is not possible.

Slim Chance

There is a bare chance, very bare; however; that if a group of southern men representing the influential churches and social organizations; should appeal to Governor Talmadge; he could be induced to pardon Herndon. There is another slim chance that a writ of habeas corpus might have some effect; after he enters prison; since that antiquated law has never been ruled upon as to its constitutionality.

Something would be done in Georgia if its people realized that the question at issue is not the rights of a communist to meet and speak and live, but the right of every man in the state to do the same. All progress is threatened, for black or white, or for any "progressive" and non-conforming idea, in all Georgia this sentence is carried out.

Herndon Tells About Georgia Jail Horrors

Afro-American

Political Prisoner Believes He Will Be Freed.

11-16-35
Baltimore, Md.

'LEADING CITIZENS' GIVEN LIBERTIES

Boy, 14, Gets 80 Years on Chain Gang.

ATLANTA, Ga.—In addition to the prevailing prejudices which exist against the colored group, there is added much more hatred for one arrested while fighting for better conditions, it was stated before a recent conference for recognition of the status of political prisoners, by Angelo Herndon, sentenced to 18-20 years on a Georgia chain-gang on an old slave insurrection statute.

Georgia's ancient insurrection law was attacked as unconstitutional and ridiculous on Tuesday by attorneys who sought the release of Herndon on a writ of habeas corpus from the chain-gang penalty and a verdict is expected sometime today (Wednesday).

W. N. Seymour, of New York former U.S. assistant solicitor-general, and W. A. Sutherland, Atlanta attorney, represented Herndon.

Since his return to Fulton Tower prison on October 28, following the refusal of the U.S. Supreme Court to act in the case, Herndon has also expressed his views in a letter to C. A. Hathaway, of New York, editor of the Daily Worker.

Prison Crowded

"Most of the time this place is so congested that people cannot move around in it," declared Herndon. "In Fulton Tower, where I spent twenty-six months before, there were never less than 1,000 prisoners at any time, and sometimes as high as 2,000. The capacity is 400.

"As a result of these conditions, prisoners are actually forced to sleep one on top of the other. Three prisoners sleep in a bunk supposed to hold two, and prisoners sleep on the floor and under the bunks. And this is something which you must understand is dangerous.

"There are people who are diseased. There are hardened criminals. To live under such conditions is enough to drive any person insane . . .

"Rich people, bankers and others, who are really criminals in the true sense of the word, rarely get arrested. Even then they are given all the special privileges in the world. I remember quite distinctly a banker in Fulton Tower, who had been arrested for swindling people out of quite a few thousand dollars.

Wife Spends Night

"Every morning they would let him out for exercise. Every evening he could go out for a ride. They let his wife come to see him as often as she liked, and even stay overnight with him. These are privileges we know are given to those prisoners who are looked upon as 'leading citizens.'

"In Fulton Tower, most of the people brought in during my stay have been young kids — colored kids, ranging in age from 12 to 22 years. This is one of the instruments which they use to keep colored persons down as an oppressed group.

Eighty Years for Kid

"For instance, in some cases a colored boy might take a roll or a loaf of bread, an apple, or something of that sort. He is then placed in jail with hardened criminals. He is huddled up with this type of people, and even given a sentence which an able-bodied adult could not be able to withstand.

"For example, there is an instance, I know of personally, of a boy about fourteen. He was supposed to have stolen a pair of shoes. I believe in some way or other, they made out two cases against him, and gave him a sentence of forty years on each. A kid of 14 facing eighty years on the chain-gang!"

HERNDON LEAFLETS FLOOD ATLANTA.

Atlanta, Ga.-(CNA)-Historic Peachtree Street was the scene of a surprise distribution of free Angelo Herndon leaflets last Saturday.

The downtown air was filled with leaflets thrown from office buildings calling on all the workers, intellectuals, liberal and white collar people to protest against the Herndon sentence and demand the abolition of the "Insurrection law."

The leaflet was issued
by the International
Labor Defense of
Atlanta.

Eagle, 11-15-35
Cleveland, Ohio

Labor-1935
Unions, Strikes etc.

Georgia

LANIER COUNTY CHAIN GANG PICKED FOR ANGEL HERNDON

California Legislators Assail Herndon Sentence

Three State Representatives Write Talmadge Asking His Intervention—Negro Youth's Case Compared to That of Mooney

SAN FRANCISCO, Calif., Nov. 6.—Three members of the California State House of Representatives have been added to the long list of public men who have expressed their indignation at the conviction of Angelo Herndon and his sentence of 18 to 20 years on the Georgia chain gang, and have written to Governor Eugene Talmadge asking that he intervene to free Herndon.

The three are William Moseley Jones, Ben Rosenthal and Fred Reaves.

"To allow the conviction of Angelo Herndon to stand under the law of Georgia as passed in 1886 would, in my opinion, be a blot upon the state of Georgia and a throwback to medieval barbarism," Assemblyman Rosenthal of Los Angeles has written to Talmadge.

"It is unfortunate that many people complain that there are two codes of justice—for the rich and the poor—and as I understand Mr. Herndon's offense was that of organizing the unemployed." Assemblyman Reaves, who compares the Herndon case to the Mooney case in his letter, wrote.

Assemblyman Jones, of Montebello, in his letter to Talmadge, compares the insurrection law of Georgia to the Criminal Syndicalism Law of California. "Here in California," he wrote, "we have a statute similar to that under which Herndon was convicted. We have been endeavoring to obtain a repeal of this Act, placed upon the books in a period of feverish, but misguided patriotism, during the war. Protection of the basic constitutional liberties of citizenship is the most important responsibility any public official can have."

Herndon Writ Plea Decision Is Reserved

(Special to the Daily Worker)

ATLANTA, Ga., Nov. 13.—Decision was reserved today by Judge Hugh M. Dorsey in Superior Court following argument on a writ to free Angelo Herndon, young Negro organizer of the unemployed, under sentence of 18 to 20 years on the chain gang. Until the decision is finally handed down, Angelo Herndon will remain in Fulton Tower Prison and will not be sent to the chain gang.

The writ was sought on the grounds that the insurrection statute under which Herndon was sentenced in January, 1933, is unconstitutional under both the Georgia and Federal Constitutions and that in any event its application in this case is in violation of the Fourteenth Amendment guaranteeing the right of due process of law. Whitney North Seymour, New York attorney retained in the Herndon case by the International Labor Defense, appeared to argue the constitutional questions.

Makes Brilliant Plea

His argument was presented with the same brilliant forcefulness which characterized his splendid presentation of the Herndon appeal to the United States Supreme Court last April.

W. A. Sutherland, Atlanta attorney retained by Seymour for the writ actions, presented the general arguments for the defense and stated that the fight to win a writ of habeas corpus would be taken all the way to the U. S. Supreme Court, if necessary. Herndon sat in court intently following the proceedings. The effect of his confinement in Fulton Tower for ten days upon his health is noticeable. He coughed frequently.

The entire section reserved for Negroes in the jim crow court was jammed, and Negroes who came to see the trial of the young leader overflowed into the section ordinarily reserved for whites.

Moves to Bar Petition

Assistant Solicitor General Walter Le Craw of Fulton County, who represented Georgia before the U. S. Supreme Court in the Herndon case, represented the State in a two-hour argument. He moved to eliminate from the petition for a writ of habeas corpus all reference to the evidence in the case. This evidence is the basis of the argument of the defense, that the application of the "Insurrection" law in the Herndon case violates the due process law clause of the Constitution. Le Craw's argument was marked by the same red-baiting and chauvinism that filled his impassioned plea to the U. S. Supreme Court. He reiterated the charges that "Herndon sought to foster the aims of the Red Committee at Moscow advocating the confiscation of the property of white landlords for the use of Negro farmers." He also charged Herndon with "advocating the overthrow of republican government to set up a Negro government in the so-called Black Belt in the South."

Reserves Decision

Judge Dorsey reserved decision on Le Craw's motion to eliminate all evidence. His summation speech was in its entirety an appeal to passion, against the slogans of equal rights for Negroes and self-determination for the Black Belt. "Herndon was not convicted on the basis of any specific act," he said. "He was convicted for general activity to incite the formation of a Negro republic through soliciting membership in the Communist Party."

The provocative statements of both prosecutor and judge were expanded upon by one of Georgia's outstanding red-baiters, Major A. L. Henson, state chairman of the American Legion honorary society, in a statement to the local press on Monday. The statement was

(Special Correspondence)

ATLANTA, Ga.—Eerie, ghostly country, with tall stiff trees stretching across pine sands ending in swampy lands. Vast stretches of wire-grass and wild oats where the soil is not too saturated with moisture. South central Georgia's piney woods. And in their midst tiny Lanier County, one of the smallest in the state, selected with sadistic pleasure by Georgia's authorities as Angelo Herndon's doom.

The total population of Lanier County is 5,190. Of these, 3,243 are whites and 1,940 Negroes. Its total area is 191 square miles which means that there are only 27 people for every square mile—desolate, wild, uninhabited woodland.

What do these people do to keep alive? The census figures list the county as entirely agricultural. There is only one city, Lakeland, with a population of 1,006 and even that is listed as a rural community. Aside from the farmers, trying desperately to scratch a living from the sandy soil, there are two white workers employed as auto mechanics, five garages with six people employed, five white men and one Negro. One telephone and telegraph operator in the entire county.

12 Per Cent Illiterate

Illiteracy claims about 12 per cent of the popuation and only 60 per cent of the children of school age are getting any education at all the present time.

This is the setting in which the Lanier county chain gang—selected by the Georgia prison authorities for Angelo Herndon—is placed. This is the background against which the convicts slave and toil.

The chain-gang itself is a very small one and is operated by the State Highway Commission which has charge of nine gangs throughout the state. There were, in 1934, only 91 men on the Lanier County chain-gang, 55 Negroes and 36 white men. There are probably about the same number today. The same rules govern Lanier County chain-gang as are provided for every other gang in the state. Toil from sum-up to sunset with only one hour altogether for meals and rest. Chains, shackles and spikes to drag along through endless hours of back-breaking slavery. Guards, armed with deadly rifles and automatics, ever vigilant, ever ready to fire at the slightest excuse—instructed to shoot to kill at any semblance of "attempt to escape." Food hardly fit for dogs. It costs the state 22 cents a day to feed the men on the chain-gangs That's what they allow the wardens. There are no rules providing for the amount each warden may pocket for graft.

Various Kinds of Torture

These are the regular, legal rules governing chain-gangs in the state of Georgia. To these are added the torture of punishment in socks, sweat-boxes, beatings with rifle-butts, solitary confinement in the stinking cages—or any other sadistic variation invented by the wardens and guards. To these are also added restrictions on correspondence—every letter written or received is censored by the warden (provided) he can read) and he has the final word on whether or not it goes in or out. Visits are limited by the discretion of the Prison Commission, which must grant written permission—and can take place only on Sunday.

That is what happens on every chain-gang hell in Georgia. But Lanier county gang has certain special hellish qualities. The men must work in the marshy pine lands. Many times with the sluggish swamp water all the way to their knees—tied to each other with ropes so that they will not fall over, working through the slippery slime. The Lanier County convicts work only at drainage, grubbing and grading. Grubbing means clearing away the rotten tree stumps that lift their jagged limbs from the moisture eaten soil. The temperature and humidity in that part of Georgia, experts say, are peculiarly adapted to rapid tree growth. They are also peculiarly adapted to every form of insect life, malaria,-carrying mosquitoes and other natural instruments of torture.

Until November 12—Herndon is safe from this inferno. Until then he is safe from the drunken brutality of the chain-gang guards—safe, behind the walls of the dark dungeon of Big Rock Jail—Fulton Tower Prison where for 20 months he was tortured.

made in connection with the proposed debate between Gov. Floyd B. Olsen of Minnesota and Gov. Eugene Talmadge of Georgia. Gov. Olsen objected to debating in the State of Georgia on the grounds that he "would be obliged to comment on the denial of free spech in Georgia and might find himself on the chain-gang with Angelo Herndon."

Wires to Gov. Olsen

Major Henson took exception to this statement and announced the following in a telegram which he sent to Governor Olsen:

"Angelo Herndon was not arrested for distributing Communist literature but for inciting a group of Georgia's population to armed insurrection and seizure of the major portions of five Southern states for the establishment of a soviet republic independent of the United States. He possessed and presented written contract of the Communist Party, plans of attack on the native population and seizure of lands and property and maps defining territory to be conquered."

University of Puerto Rico Asks for Herndon Petitions; 2,000 Sign Lists in France

One hundred petition blanks, to collect signatures for the freedom of Angelo Herndon, have been requested from the Herndon Petition Committee last week, by a representative of the University of Porto Rico.

The fight for the freedom of Angelo Herndon is attracting ever wider international interest. Already petitions have been signed and sent in from twelve foreign countries.

2,000 Signatures on Petition Sent from France

Two thousand signatures for the freedom of Angelo Herndon, were received from nine French cities by the Herndon Petition Committee last week. The signatures were crowded on only 12 petition lists. Every available inch of space was used on both sides of the 36-inch blanks. Several of the petitions had French translation of the appeal to Governor Eugene Talmadge attached.

The signatures come from Paris, Havre, Nouzonville, Gharelville, Vitry sur Seine, Montpellier, Aubnay, St. Genevieve and Blanc Mosnil.

The official seals of the organizations active in collecting the signatures were displayed next to the name of the leading official of the organization. Most prominent in this activity were various local divisions of the French International Labor Defense.

I. W. O. Asks Release of Herndon

BUFFALO, N. Y., Nov. 15.—A resolution demanding the release of Angelo Herndon, now serving an 18-20 year sentence for leading an unemployed demonstration in Atlanta and the repeal of the Georgia slave insurrection law under which he was convicted, has been passed here by Branch 722 of the International Workers Order.

The resolution was sent to Governor Eugene Talmadge and the State Attorney of Georgia.

3,000 at Penn R.R. Station Cheer Young Negro Hero On Release from Prison

Browder, Thomas, Ford, Amter, Others Extend Greetings

By Louis Budenz

Angelo Herndon stepped into the Pennsylvania Station at 4:10 o'clock yesterday afternoon a free man.

Three thousand men, women and children lining the steps of the Thirty-first Street entrance of the station broke into a great cheer as the heroic young Negro and a voluntary committee of forty appeared in the main lobby.

Rushing forward amid cheers to greet him, the crowd picked him up on their shoulders and conveyed him up the steps to the outside. There he hailed with the singing of the "International" while newspaper flashlights lighted up the streets.

Herndon was freed late Saturday on $8,000 bail. His release followed a decision of Judge H. M. Dorsey of the Superior Court of Fulton County that the slave "insurrection law," under which the young Negro was convicted, is unconstitutional.

Prosecutor Stevens indicated that the state planned an appeal to the Georgia Supreme Court. If a decision unfavorable to Herndon is awarded there, the defense announced, the case will be taken before the United States Supreme Court.

The crowd wildly cheering, crying for the united front, marched down Thirty-first Street to Seventh Avenue, where Angelo Herndon and the Committee went to the Harlem Section of the Communist Party for a reception to him there.

Committee Greets Negro

The committee of forty boarded the train at Newark and greeted Herndon there. The committee was headed by representative people of numerous organizations, including among them James W. Ford, Communist Party organizer in Harlem; Jack Stachel, of the Central Committee of the Communist Party; I. Amter, District Organizer of the Communist Party in New York, and Mary Fox and Rose Sapiro from the League for Industrial Democracy; Alice Dodge, secretary of the Boston Joint Action Committee for Herndon; Allen Taub of the City Committee of the American League Against War and Fascism.

Mary Fox presented Herndon with a telegram from Norman Thomas, sent from Toledo, which read:

"Greetings to Angelo Herndon, soldier of the common good. Congratulations on achievement of Joint Committee. Judge Dorsey's decision releasing Herndon is most significant victory of Civil Liberties for years. It must be supported and the methods which helped get it must be continued."

Greetings were also extended by Earl Browder, general secretary of the Communist Party and Jack Stachel, member of the Central Committee.

Herndon, quietly sitting in a coach, modestly received the congratulations and greetings of the Committee as the train moved on for New York. He stated that he wished to send a "message of greetings to the mass of the Southern people. The insurrection law is aimed at their liberty as well as mine. The Bill of Rights, inspired by Thomas Jefferson, revered throughout the South, is directly opposed to this law penalizing political conviction."

First Thought for Scottsboro

Herndon explained that one of his first acts had been to send a wire to the Scottsboro boys in Jefferson County jail, Alabama, greeting them and encouraging them in their fight. While he was receiving the congratulations of the Committee on the train, a young man with a Southern accent arose to greet him. He was Thomas F. Nollett, president of the National Student Federation, a student at Louisiana State University.

Among those in the large crowd at the Pennsylvania station was Mrs. William Lloyd Imes, wife of the pastor of the St. James Presbyterian Church.

To Begin Tour

The vast majority of the crowd who has welcomed him at the station greeted him again at the Harlem Section headquarters of the Communist Party. Red rose throughout the crowd which had spontaneously gathered to greet him, added color to the scene both at the station and at the Harlem headquarters.

Anna Damon, secretary of the International Labor Defense, Mary Fox and James W. Ford escorted Herndon from the train to the station waiting room where the crowd took possession of him.

Anna Damon, who had met Angelo Herndon at the train in Philadelphia, announced that Herndon will rest for a week, after which he will open his speaking campaign in New York City. The place and date of this meeting will be announced within the next few days by the Joint Action Committee.

He was asked. He replied, "Yes decidedly. But even more important was the fact that so many workers defense organizations and other groups joined in the campaign. Those more than a million signatures on petitions to the Governor —those mass actions that led to the A. F. of L.'s action and aroused millions against the 'insurrection' law. And it was the thought that the united-front against all forms of fascist reaction will be spurred anew by this victory" that buoyed Herndon. For this he beamed.

He said, "This must, this will mean a broader campaign for the Scottsboro boys. It will mean more and stronger united-front actions against anti-union legislation against war, in defense of civil rights and labor standards wherever they are attacked."

Workers Greet Him

The waiters behind the counter grouped at a distance and whispered, smiling at Herndon. He seemed oblivious, sitting there bright-eyed. He wanted news—news of the labor movement he entered five years ago when a 17-year-old jobless miner, he ran across a sign inviting the jobless to meet and organize, to fight instead of starve. Thus he joined an Unemployment Council in Birmingham. For organizing, he was sentenced to the chain gang.

"Would you go back to the South to carry on organization work?" a reporter asked him.

"Of course,—yes, it would be dangerous," he reflected, "but if I were needed, I would like very much to go, not only because I'm interested in the south, but because there's so much to win, there."

Coming up from the South a Negro porter came through the coach with coffee. He looked, alert but uncertain, while Herndon took a cup. He went to the end of the coach, stood behind the door and peered back for a moment, then returned and asked, "aren't you Herndon?" The news spread back to the kitchen, and soon a full-sized breakfast was set down before Herndon in the jim-crow train whose diner he could not enter.

alone will encourage organization

Labor-1935

Unions, Strikes, etc.

Georgia.

BACK FROM GEORGIA PRISON

ANGELO HERNDON

Mass Struggle Won For Me, Says Herndon

Daily Worker 12-9-35

Young Negro Sees Victory as Aid in Workers' Fight on Reaction—Says Campaign for the Scottsboro Boys Is Strengthened by Case

By Marguerite Young

(Daily Worker Washington Bureau)

WASHINGTON, D. C., Dec. 8.—Angelo Herndon had just closed the covers of "Sawdust Caesar," and was stretching his legs while thinking over the anti-fascist book about Mussolini's dictatorship. It was visiting hour, a little before noon yesterday, in Fulton Tower Jail. The other prisoners all condemned to die, were talking and playing cards. Suddenly a newspaper man rushed into the cell block and exclaimed: "Good news for you, Herndon—Judge Dorsey held the law unconstitutional—you're going out on bail."

"I don't remember all I said," Herndon related here today, "but I do know I told one of the prisoners 'this is the happiest day of my life. I couldn't have been any happier on the day I was born.'"

We were sitting at the Station lunch counter. A moment earlier Herndon had stepped off a jim-crow coach from Atlanta. In another twenty minutes he would board a train for New York. There thousands would meet him—would cheer for another great victory in the history-making united front defense campaign that won it—would cheer for this youth who was again showing the modesty and sheer courage that made him a hero.

Cheered On by Prisoners

"The turnkey told me to get my things because they'd come for me at any time," Herndon related. "I wanted to collect my books." It was books—books and pamphlets which Herndon had in his possession while organizing Negro and white unemployed to gain relief—that the Georgia authorities used as a pretext for convicting him under the ancient slave law now held unconstitutional. Books were denied him during his first and second stay in Fulton Tower, before mass pressure brought him out on bond. Books were given him freely, however during his last five weeks' stay in "Big Rock" Jail—books and cheese cakes and letters and everything else sent to him—because by this time the jailers knew that hundreds of thousands outside were organized behind their slender prisoner.

"First the turnkey said I couldn't get the books," Herndon continued 'But the other prisoners already were gathered around, pushing them into my bag. They packed everything. When I was led down to the Sheriff's office, several came close and whispered, 'Keep up the good work.'"

Left Prison Alone

There was a long wait in the sheriff's office. In the next room a political meeting was going on Ward bosses were planning a campaign. Over and over Herndon could hear them talking excitedly about the decision. Soon, however his lawyer had met the bond requirements, and he was free to leave.

He left alone.

"Didn't you know that your defense organization in New York were worried about your safety?' We asked. We knew that for weeks the Tory newspaper, Atlanta Constitution, had been whipping up hysteria against the reds. It was incensed because, several times, conspicuous points in the city had been plastered overnight with Defend-Herndon leaflets.

Mop up the reds. Drive out the "Alien agitators," the paper was screaming.

"Yes," he said simply, "I knew about it. I'd read the papers. But I didn't have any apprehension.

Recognized by Friends

Herndon was recognized on the streets but by friends. The Atlanta Constitution's campaign had been in vain. They sailed along the street, many strangers smiled. Herndon went to the office of his lawyer, W. A. Sutherland, retained by Whitney North Seymour, a former Assistant Solicitor General of the United States who in turn was retained by the International Labor Defense for the case.

Then, as casually, Herndon went to a movie. A Negro passerby stared, paused, Herndon walked on. The man ran after him and said, 'Excuse me, aren't you Mr. Herndon?"

"Yes," he said, "but don't stop me long." The man said, "I understand," smiled, disappeared.

Near the theatre, Herndon met an old friend. They went in and saw something about Tarzan. There was just time for a haircut before he took the train.

Greeted on Trip

Meanwhile the defense organizations in New York had been telephoning to complete arrangements Herndon was accompanied to Washington by Edward R. Kane, a lawyer from Sutherland's office. Here Louis Colman of the International Labor Defense met him. In Philadelphia, Anna Damon and others from the Joint Committee to aid the Herndon Defense were waiting At Jersey City a big group waited.

"If you finally had to go to the chain gang," another reporter asked him today, "would you still think it hadn't been in vain?"

"Of course," he answered. "Thousands of people, workers and intellectuals and Negroes who, otherwise mightn't have come into the labor movement, are in it now in the defense campaign.

"I'm sure, too, that this victory of workers, especially local trade unions in the South. But I'm not going back to the chain gang"—Herndon smiled. "We have a much better chance now, since the law is declared unconstitutional, for there won't be any loopholes such as the technicality on which the United States Supreme Court declined to act."

Sees Victory as Aid to Scottsboro

"Do you think the American Federation of Labor's adoption of a resolution condemning the slave law helped to win you the writ?"

Mass Defense Was Determining Factor in Fight to Free Herndon

By SASHA SMALL

During the summer of 1933, the relief situation in the state of Georgia reached a climax. The authorities in charge announced that the Community Chest was empty and that there was no more money for relief. They also announced that this was no great tragedy because there weren't any hungry people in Atlanta anyway. To prove it, they also added that all hungry people could personally present their case to the County Commissioner.

A young Negro boy, 19 years old, had been working among Atlanta's unemployed during the Spring and Summer of 1933. He had been helping them organize their forces against starvation, against being evicted from their homes. The boy's name was Angelo Herndon. On the very next day after the announcement, a leaflet appeared on the streets of Atlanta, calling on all those who were hungry to come together to call on the officials at an appointed time. When the day came more than a thousand persons gathered—Negro and white, men, women and children. In peaceful orderly ranks they marched to the office of the County Commissioner. Mothers carried pale, ragged children in their arms.

A committee was elected to present their plea to the authorities On the next day $6,000 was suddenly found in the empty Community Chest and promptly assigned for relief purposes.

One week later, Angelo Herndon went to the post-office to get his mail. He was seized by two plain clothes men and carried off to jail His room was illegally broken into and all his belongings, papers and books were seized without a warrant.

For eleven days he was held incommunicado. He was beaten. He was third degreed. But no charges were placed against him.

Finally he managed to get in touch with the local International Labor Defense. At the same time Georgia's officials finally decided what they could charge him with. He was indicted before the grand jury on charges of "inciting to insurrection" under the terms of an ancient law dating back to days of slavery.

In January, 1933, he was finally brought to trial. The International Labor Defense retained two young Negro attorneys, Ben. Davis Jr. and John Geer of Atlanta to defend him. In court it developed, that the charge was based on literature found in Herndon's room. Assistant Solicitor General Hudson, ranted and raved and demanded Herndon's life for attempting to overthrow the constituted authority of the state of Georgia. Proof? Pamphlets dealing with the Negro problem, urging self determination for the Negro people in the Black Belt, and even a magazine called "Red Book."

The defense called in witnesses, to prove that all the literature found in Herndon's room was to be found in every library in the country. These witnesses were professors from Emory University. Their testimony meant nothing to the prosecution and the judge—Lee B. Wyatt. The judge heckled them—asked one of the professors whether he would allow his daughter to marry a Negro.

"Thousands Will Take My Place"

Herndon was put on the stand. In words that have now become famous all over the world, he spoke to the all-white jury. He told them what he had done, and why he had done it and then he said, **"You can do what you will to Angelo Herndon, but there will come thousands of other Angelo Herndons to take his place. You cannot kill the working class."**

The jury deliberated and brought in a verdict of guilty with a recommendation of mercy. The penalty under the slave insurrection law is death. The jury recommended 18 to 20 years on the Georgia chain-gang.

The International Labor Defense appealed the case to the State Supreme Court of Georgia. The virtual death sentence was upheld. But the mass pressure on the court mobilized by the I. L. D. resulted in the setting of bail. The court decided on $15,000 cash—an exorbitant sum.

Bail Raised

Only twenty-three days was allowed for the raising of the bail, pending appeal to the United States Supreme Court or Angelo Herndon would be sent to the chain gang.

In a whirlwind campaign that swept the country, the I.L.D. raised and oversubscribed the bail fund in twenty-three days. Attorney Joseph R. Brodsky was rushed down to Atlanta by airplane and on Aug. 7, 1934 Angelo Herndon arrived in Pennsylvania Station where he was greeted by thousands of enthusiastic workers—a free man for a time.

From that day on until April, 1935, Angelo Herndon toured the country speaking to thousands on street corners, in meeting halls, in churches explaining to them the true significance of his own case and mobilizing their support for the Scottsboro boys.

In April, 1935, the appeal on Herndon's case was heard before the Supreme Court of the United States. It was presented by Whitney North Seymour, retained for that purpose by the I. L. D. The case for Georgia was presented by Walter LeCraw, another assistant solicitor general. With less frenzy than displayed by the Rev. Hudson but just as bitterly, LeCraw screamed that Angelo Herndon had tried to overthrow the State of Georgia and set up in its place a Negro Republic. He waved a map showing the Black Belt in the faces of the judges. He showed them a clipping from the Daily Worker. He fumed and raved.

On May 20, 1935 the high court handed down its decision—six to three. The majority stated it had no jurisdiction to interfere in the Herndon case. There was some sort of an obscure technicality which tied their hands. The dissenting minority denied the existence of the technicality.

In June, 1935, the International Labor Defense obtained a stay of execution from one of the justices until Oct. 7, when the court would reconvene after its vacation.

Broad Petition Campaign

From that moment on every effort was strained to broaden the front of Herndon's defenders. A campaign was launched to secure 2,000,00 signatures to a petition to Gov. Talmadge of Georgia demanding Herndon's freedom and the abolition of the insurrection law, which threatened the lives of eighteen other men and women Negro and white in the State of Georgia.

The petition campaign was soon endorsed by several outstanding national organizations, the American Civil Liberties Union, the Socialist Party, the Young People's Socialist League, the American Youth Congress, Communist Party, American League Against War and Fascism League for Industrial Democracy Church League for Industrial Democracy, the Sharecroppers Union, Southern Tenant Farmers Union and others.

In many parts of the country broad united front Herndon defense conferences were called. Committees were set up including representatives from all types of organizations. In New York a Joint Committee for Herndon defense was formed by five defense groups the International Labor Defense the League for Industrial Democracy, the General Defense Committee of the I.W.W., the Non-Partisan Labor Defense and the National Committee for Defense of Political Prisoners.

Second Hearing

Signatures from United States congressmen, mayors, other public officials, famous writers, and trade unionists began to pour in from all parts of the country. Fourteen foreign nations added their voices of protest.

On Oct. 15, the United States Supreme Court once more announced when petitioned for a rehearing that it had no jurisdiction in the Herndon case. Herndon was ordered to surrender.

A series of protest demonstrations culminating in a mass meeting at Manhattan Opera House on Oct. 23, called by the Joint Committee, mobilized additional thousands behind **the determined effort to free Angelo Herndon. A united front conference in New York City pledged itself to Herndon, "as long as you are in chains, no worker in America can call himself free."**

On Oct. 29, Angelo Herndon surrendered to Georgia authorities Unable to wait until they got their hands on him, they had even selected the chain-gang to which they would send him—the worst in the whole state, in swamp-infested Lanier County.

Unity Won Case

But the International Labor Defense and all the organizations involved in the defense, forced a restraining order from the courts, keeping Herndon in Fulton Tower jail until Nov. 12, when a hearing on a writ of habeas corpus was ordered.

The hearing demanded Herndon's freedom on the grounds that the constitutionality of the law had never been tested in state or federal courts. The protest movement deluged Gov. Talmadge with demands for Herndon's freedom. The signature petitions continued to circulate from hand to hand.

And yesterday, Dec. 7, Judge Hugh L. Dorsey of the Fulton County Superior Court declared the law unconstitutional.

United action was crowned with victory. The months and weeks of literally feverish activities resulted in forcing the release of Angelo Herndon. If ever the homely maxim, in unity there is strength, received undisputable truth, if anybody doubts the power of united action—they will see the answer at Pennsylvania Station today when Angelo Herndon gets off the train from Georgia.

THE IMPROVNIG SOUTH—

There are unmistakable signs throughout the South that this section of the nation is improving in the matter of interracial relations and interracial justice. Of course, the improvements are not coming in torrents and over night, but slowly here and there, the leaven seems to be at work and to be producing results.

Who would have thought, for instance, that a trial judge in Georgia would have turned Alonzo Herndon loose? Who—and this is even more important—would have thought that a trial judge in Georgia would have declared an act of the Georgia legislature to be in violation of the United States Constitution, as a basis for freeing a Negro from a criminal sentence which had been imposed upon him on account of race prejudice and hate?

Well, that is what Judge Hugh Dorsey, former Georgia governor, did last week. If the State of Georgia appeals the case, at least Herndon will have another chance to test the law before the Supreme Court of the United States. If Georgia does not appeal the case, then Herndon will go Scot free as a result of Judge Dorsey's decision.

True, there is still more than enough injustice and persecution in the land of Dixie, but decisions like the Herndon decision and like Judge Horton's decision in the Scottsboro cases, are but illustrations of what is happening upon the interracial front all over the South.

Indeed, the South is improving; the North is getting worse; and the whole nation, so far as the Negro is concerned, seems to be moving toward a common level of treatment. I hope that, when the level is finally reached, it will be a level of full justice and fair play for all men in this country which as yet is only prophetically denominated the "land of the free."

Labor-1935
Unions, Strikes, etc.

Illinois

URGES WATERMELON, COCO COLA BOYCOTT

WASHINGTON, IA.
JOURNAL
AUG 29 1935

CHICAGO, July 26 [ANP]—Accoding to the editor of the Chicago World, southern "big business" is responsible for the discrimination practic upon Negroes, south and north. He, therefore, urges a boycott upon the products of big business in the south.

Following the lynching of two colored men in Mississippi last week, the editor demanded a boycots on watermelons imported into Chicago for Mississippi He also urges Negroes to refrain from buying Coca Cola, saying:

"This newspaper also maintains that such concerns as the Coca Cola company, which get upwards of $10,000,000 per year from the sale of Coca Cola to colored people of the north, could bring so much pressure to bear upon the law makers of Georgia that lynching would soon be a thing of the past in that state.

"Amid the executives of this concern would act if the people of color throughout the north would stop drinking Coco Cola entirely. We venture to say that approximately $20,000,000 per year is spent by northern oolored people for that beverage Georgia watermelon, etc.. all of which we can get along without."

THEY ARE SINCERE

A few day ago two girl students of the University of Chicago and four Negroes were arrested as they attempted to picket a closed relief station in Chicago. Two of the Negroes admitted communist affiliations and the girls both belonged to the "Student's League Against War" which is sometimes accused of being communistically motivated.

Anyway the whole group, composed of the two girls both under twenty years of age and the four Negroes, all young men, too, were arrested as they sought to do something to correct, or rebuke, or publicise the "current evils" of our social and industrial system. They were all, no doubt, honest, sincere, willing to sacrifice themselves if need be for what they interpret as the common good.

The two girls admitted that they had acquired their social views from contacts they had made in the University of Chicago and one girl admitted that she had read the "Russian Primer" which is said to be the text book prescribed by the communists for use in converting young people of this country to the communistic theories. Also, the girls admitted that they had learned none of their new social ideas at home from papa and mamma. They had picked them up outside—from books they had read and contacts they had made outside of home.

The girls had given fictitious names but finally they revealed their real names to the officers and their parents were called and discovered for the first time that their demure little offsprings had gone rather "red." The families are fine people, one of the mothers a prominent D. A. R. and the father in the other family traces his record back to the time when hs ancestors landed in Jamestown, Va., in 1615.

But—as above observed, the girls were deeply sincere; they no doubt felt that it was their duty to lunge into this grreat social struggle and do their bit. They were and are anxious to be of service to humanity and especially to the masses, the poor and the downtrodden, and the oppressed. They are willing to consecrate their lives to sacrifice for others. There is in those girls no doubt the making of fine women. Such spirit has amazing potentialities.

But, probably in this case, it would be better for these girls for the present if they could get more interested in "dates" and less interested in immediate revolutionary reforms. They are not old enough to tear down the government yet. They have not had such experience as qualifies them to put it together again in the event of their success in tearing it to pieces.

That's the kind of a world we live in, though—some go "red"; some stay too white; some go nudist, other think nudism is a terrible thing; some discover new religions, new economic policies, new panaceas for all human ailments, all social deformities, all industrial mal-adjustments, and some there are who feel that their whole lives must be devoted to combatting what they believe are the "active evidences of eccentric, impractical and sometimes irresponsible minds." It's still a gay life if we don't weaken.

Hostile Owners, Cabmen Carry Guns in Taxi War

CHICAGO (ANP)—Taxi service on the South side of Chicago was tied up here Sunday, when more than 150 drivers walked out on strike against the five principal cab owners.

Representatives of the cab drivers presented the following demands:

1 That the rental of cab be reduced from $4 per day and $5 at night to $3 per day and $4 per night.
2 That the cost of gasoline and oil, purchased at the garages owned by the operators of the companies, be reduced to the same prices offered by filling stations.
3 That the present charge of sixty cents per week as a [illegible] for the changing of oil be abolished.
4 That each driver be allowed twenty-five cents per hour for time spent needlessly in the garage, due to no fault of his own.

Both Sides Armed

Strikers were sore because their members were jailed for striking while company representatives remained free. Both sides are carrying guns. Wednesday is set as the deadline for compromise.

Montell Stewart and Jackie Reynolds, principal cab owners, have nearly fifty per cent idle cabs. They said two-thirds of their men wanted to return to work.

"Our cabs are equal to any other cabs in the city," they maintained, "and we cannot meet the men's demands."

CHICAGO LABOR LEADER FETED AFTER VICTORIOUS BATTLE WITH NATIONAL DISTRIBUTING FIRMS

MUNICIPAL HEADS AND CIVIC LEADERS HEAR ATTACK MADE UPON HINDERING INFLUENCES

J. L. Kelly Lauded As Fearless Organizer

CHICAGO, Oct. 31.—(ANP)—With members of the judiciary and other members of the official "city family," civic leaders and members of various labor and civic organizations as guests, the second annual dinner and cabaret party was staged here Wednesday night at Dave's Cafe, by the Retail Clerks Union No. 901-B.

Led by the intrepid and fearless J. Levirt Kelly, this group, organized two years ago, has done much to improve conditions on the Southside, as was pointed out here Wednesday night. Working conditions have been added, not only for members of the organizations, but those of the "outs" have profited and civic problems have been fought vigorously.

In addition to a tasty turkey dinner—deluxe turkeys if you please—and what goes with it, those assembled were treated to a morsel of what the organization has done and is trying to do, by Kelly, union president and leader in all of its activities.

Cites Record

"Two years ago," said Kelly, "we decided to organize the clerks working in the retail stores in addition to the waiters, waitresses and bar-tenders, in order to better their condition. Since organization we have gained some of the objectives. We have placed members of our race in stores where they did not work previously; we have gained for them a living wage, decent working hours and better conditions in general.

"In addition to this we won one of the greatest victories that any Chicago organization can claim, namely that against the Coca Cola company. Although selling in this district which is most densely populated by Negroes, this powerful company fired all Negro employes on the distributing trucks. We sought the aid of other organizations, but to no avail. Sensing the problem we entered the fight alone and after a terrific battle, with which some of you are acquainted, we emerged the victors, not only having Negroes placed back on the job but also securing jobs as distributors instead of assistants, and at a higher wage.

"Now it devolves upon us to carry on the work of some other organizations and we are not going to shirk our duty. We have accomplished what we have against odds, not only of those who oppose us openly but an organization which sets itself before the public as the clearing-house for the solution of all problems. I refer to the South Central Community Council of which Mr. Samuel E. White and Harry Englestein, one of the owners of the South Center Department store, is chairman of the board of directors and financiers. This organization which is supposed to fight against the evils in the district in truth are supporting them. Non-union clerks work in the South Center store. Negroes are not employed to distribute the circulars which are printed in white shops despite the fact that the patronage is 99 per cent Negro, and while cars can be parked in and around the whole district, we find that surrounding the Englestein owned building we can not park.

"Of course we can not expect anything from such an organization that must depend upon the contributions of those whom they are supposed to fight against for support. Several weeks ago I interviewed Mr. White, asking his support in the fight against the Coca Cola fight, but he could not join in because he expected a donation from the company. The same was true in the Schultz Baking company and Morton Salt company cases. You can not fight those who provide your bread and meat. We do not depend on such contributions, so tonight we are eating turkey."

Len Reed Has New Band, but Cannot Work

Chicago Local Refuses to Let Orchestra Play at Dave's.

MANAGEMENT CAN NOT FIRE OLD UNIT

Union Will "Let Them Know" When.

By FRANKLYN FRANK

CHICAGO, Ill. (ANP)—After rehearsing a 12-piece dance band for several weeks and preparing definitely to go into Dave's Cafe, the No. 2 brightery of Chicago's Congo, Saturday night, Leonard Reed ran up against a stone wall when the strong Musician's Union told the management of Dave's to keep Francois and his Louisianans until the union said they could be let out.

The Francois band, a nine-piece unit broadcasting over WIND nightly, had planned to move into a white district mazda mart and had given notice to Dave's and the union.

Reed, producer of shows at the spot and musician-composer, who had been engaged at another broadcasting station, had been arranged for and all seemed definitely set for the new band's debut until the union stepped in at the last moment.

No Need for Change

In their communication, union officials stated they "see no need" for a change and that when they consider the time ripe for Francois and his Louisianans to go elsewhere they will let the management know. The Reed unit, meanwhile, may disband unless the union changes its mind or offers come from elsewhere.

Both colored and white bands have had considerable trouble with the local musicians' organization. Walter Barnes, several years ago while playing at a white cabaret, was forced to have bodyguards surrounding his band stand. Duke Ellington, playing at the Palace Theatre, has had to pay a white band's salary in order that he might appear. Colored bands have been barred from many leading ofay spots because of unemployment among white musical groups. The organization here is perhaps the strongest in the country.

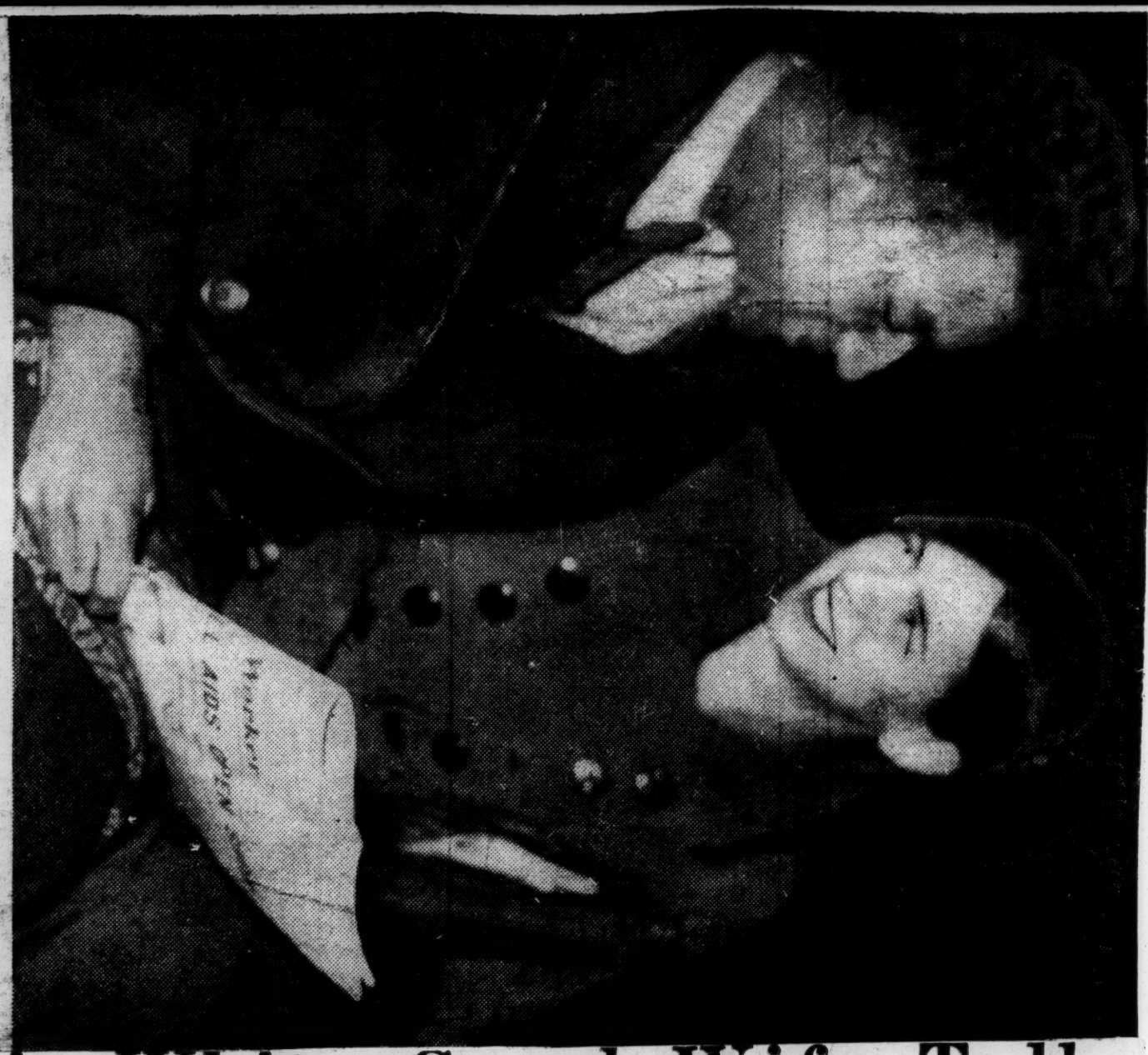
Labor - 1935

Union Strikes, etc.

DETROIT, MICH.
TIMES

FEB 23 1935

Illinois



JANE EMERY NEWTON, daughter of a prominent Grand Rapids family, and her Negro husband, HERBERT NEWTON, were featured at a Communist meeting at which speakers sneered at President Roosevelt and the American flag. Tonight Mrs. Newton who was arrested for Communist activities in Chicago, will speak at a Y. W. C. A.

Negro's White Co-ed Wife Talks Before Communist Meeting

Daughter of Ex-Legion Head Decries 'Fascist Advances' in U. S.

Appearing on a program with Communists, who ridiculed President Roosevelt and sneered at the American flag, Jane Emery Newton, former University of Michigan co-ed, spoke last night at the Mt. Olive Baptist Church.

Mrs. Newton, 26-year-old wife of Herbert Newton, Negro Communist leader in Chicago, pleaded briefly for the communistic cause and told of "Fascist advances" in the United States.

Mrs. Newton gained nation wide notoriety last December, following her arrest in Chicago for communistic activities. She was released only after a sanity test revealed her sane and brilliant.

She speaks tonight at a banquet at 8 o'clock in the Lucy Thurman branch of the Young Women's Christian Association, 569 East Elizabeth street and tomorrow at the John Reed Club headquarters, 108 West Hancock avenue.

DENOUNCED AMERICANISM

Her appearance last night closed a three-hour program of denouncing Americanism during which Mr. Roosevelt was spoken of with sneers and democracy referred to as slavery.

"Many bills now before Congress are definite attempts of the Roosevelt government to force fascism upon us," said Herndon, Negro, another speaker.

"Now is the time for us to unite against this. The only example we can follow is that set up by our Soviet brothers in 1917."

Herndon frequently referred sneeringly to America as "the land of the free and the home of the brave."

Herndon is at liberty under $15,000 bond pending the appeal of his sentence to a Georgia chain gang for his activities organizing Negro and white unemployed.

William Randolph Hearst was flayed by the speakers for his campaign through his newspapers to stamp out communism.

"We understand what Mr. Hearst and others of the ruling class are trying to do," Herndon said.

"They are interested only in maintaining the profits of the ruling class at the expense of the poor masses. We must carry on together for the abolition of the slavery of the capitalistic system."

Newton, another speaker, charged that he and other Communists were persecuted by the Hearst press and officials.

Labor - 1935

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Amalgamated Journal
Pittsburgh, Pa.

FEB 21 1935
GRANITE CITY, ILL.

Feb. 12, 1935.

Editors Amalgamated Journal:

It has been quite a while since I wrote to the Journal, but I do no believe I have forgotten how.

I have watched with interest the rank and file movement in the steel industry, and having sat in the 59th convention with most of the so-called leaders of this movement, it makes one wonder just how honest and sincere these fellows are.

I saw this same bunch leave the first convention, and they were the lions, and could they roar! But when they came back to the reconvened convention were they still the lions? Hardly. It seemed the lions had changed to the lambs. I must say I never saw such a change take place in so short a time.

The man who had more to do with the Wagner bill than Wagner himself, and had done more good in Washington than all the committees and national officials together, why he could almost be talked to. I must say that when the Green proposition was presented, it took a great weight off their shoulders and opened a way for them to get from under.

I often wondered what kind of a story these same big shots put up to their lodges when they went home. There is one good thing, they all take a very good picture and they look good in headlines, and they all like to read headlines and look at pictures.

There is no doubt but when Irwin, Spang, Forbeck and company start they will organize the steel industry, they could bring their lodges up to the hundred per cent mark any time they wished, but the time never came and as far as they are concerned, it will never get here.

If they are not satisfied with the A. A. let them go into the organization our old friend (Cush) has been trying to put life into for a number of years; they know they can not make a new organization go, and as for the other, it is dead and will remain so. Cush may extract a little bread and butter from it but it will be tough going.

Having looked over the different programs, the rank and file have proposed at different times, I fail to see one new idea that they have. They talk about action that is old, very old, older in this organization than I, and I did not come in yesterday. Get the membership in and we will give you all the action you wish for, and as for joining forces with other organizations, we have tried that long ago.

I want to say this, that if these men had put in half the time trying to boost the A. A. as they have tearing it down, we would be in a position to do something. If they had worked to bring in their fellow workers and these new members had paid their dues as members should, we could go into Washington and take our place with the best of organized labor, the place we should be in. But as long as we have the faction that want in office at any cost, and put their own personal aims above the organization, we will make very little progress. Whoever heard of getting something for nothing, yet this same group expects to get big things from the A. A. and pay nothing into it. Let the other fellow pay the operating expenses, but by all means they must have results.

Having looked over the "Progressive Steel Worker," that paper put out in Canton, I wonder why one should pay three cents for it? Whoever gets it out must think the working man is very dumb. They might at least stick to facts, or it may be that they do not know any better and judge everyone else by their own rating.

When they try to make the Negro steel worker believe that up until the 59th convention they had very little rights in the A. A., showed their lack of knowledge. It would have done the one who wrote that article good to have attended some of our past conventions, they might have received a little education on organized labor from some of the Negro delegates who have attended. One can go all through the paper and it shows the lack of knowledge, either deliberate or otherwise about organization.

Why men should go out and destroy the only means they have to better their positions, the only way we have at the present time of getting a living wage and better working conditions, is past me. Yet because things are not done the way they say and the results are not as quick as they want, they would destroy it and then be in a worse position than they were before.

I wonder what these same men were doing when organized labor was up against a stone wall and the few who had faith and the insides to maintain the organization, so that when the time came, there would be a workable organization for them to step into, and help make a protection for all? Yet these men who would not, or could not, help keep the organization going, and were very well satisfied in the past with what the company saw fit to give them, would say now, "she has been a pretty good old ship in the past, but if you wish to go places, you will have to listen to me, and we, or rather I, will make it over, you did not know what you were doing any way, so I will run this from now on."

Our International officials are elected for two years and after the elections, whether they are our choice or not, for our own good and protection we should go along and give them all the help that we can. I have watched it in the past that the man who is always belittling the officials is either a disgruntled office seeker or the follower of one.

While I do not always agree with our officials, I for one have every confidence in their honesty and sincerity, and if there had been half the time put in trying to do something useful for the organization that has been with the hammer, well, a lot of our troubles would have been avoided.

With kind regards to my friends throughout the A. A.

WARD WALCOTT.

RANDOLPH TO MEET PULLMAN OFFICERS

New York Age
2-27-35

To Discuss Wage Scale Of Pullman Porters At Conference

CHICAGO, Ill.—What the rank and file of Pullman porters considers a most momentous event will occur next week when the heads of the Brotherhood of Sleeping Car Porters, an affiliate of the American Federation of Labor, meet for the first time with representatives of the Pullman Company in a round-table labor conference.

This meeting, which is scheduled to be held on Monday, July 29, at 10 a. m., in Room 412 of the Pullman Building, 79 East Adams street, will be the attainment of a ten-year ambition of these employees, and is looked upon as the second step in the labor foundation of this group.

The conference, a direct result of the porters' recent "choice election," has been arranged, it is disclosed, by the Pullman management in reply to the oft-repeated request of A. Philip Randolph, president of the A. F. of L. affiliate.

The letter to Mr. Randolph, advising the date and place of conference is signed by L. S. Hungerford, vice president and general manager of the company, and reads in part as follows:

"Your letter of 6th inst., requesting a conference with the duly authorized representatives of the management of the Pullman Company, has been referred to me as its chief operating officer.

"This company is agreeable to meeting in conference, for discussion of the question of an agreement concerning rates of pay, rules and working conditions of its porters and maids, the duly authorized representatives of your organization.

"It is suggested the conference be held in Room 412, the Pullman Building, Chicago, Ill., at 10 A. M., Monday, July 29th, 1935."

Aside from the general manager, it has not been disclosed who will comprise the company's personnel at the conference. Nor could any information be gained as to the porters' representatives. But it can be stated that Randolph and the vice president of the porters' organization, M. P. Webster, will with certainty be the two leading agents of the latter.

Although Monday's conference is construed by many of the porters as being a meeting at which wages and working conditions will be discussed and negotiated, it has been learned from a source close to the affairs of the Brotherhood that this occasion will consist mostly of the representatives "getting acquainted."

Mr. Randolph left New York for Chicago Saturday night, where he will confer with western representatives of his organization.

Indiana

Labor- 1935

Unions, Strikes, etc.

Strike Called When Negro Workers Fail To Get Union Wage

INDIANAPOLIS, Ind., Nov. 21 (ANP).—Because officials of the contracting firm employed to erect this city's $3,000,000 federal housing project are alleged to have refused to pay union wage scales to Negro union workers, a general strike was called Wednesday. 11-23-35

According to Hayes Wilson, an official of the Hod Carriers and Cement Finishers Union, four colored men, commonly classed as bricklayers, were employed on the project several weeks ago when construction began. Although they held union cards as skilled laborers in this class, they were arbitrarily classed as "mason tenders" and, instead of receiving the regulation 80 cents an hour wage, were paid 72½ cents. When the contractor firm refused to meet the increased wage demands, a general strike was called. Other skilled workers on strike include the carpenters, three of whom are colored.

More than a hundred common workers were employed on the job, half of whom are colored. Since the skilled laborers' strike, these have been laid off. The federal government is not a party to the strike and no United States action will be taken unless the two parties to the dispute fail to reach an agreement and thus impair completion of the project.

Labor-1935
Unions, Strikes, etc.

International Labor Defense

Negro Minister Convicted As Traitor to His People

By a Worker Correspondent

NORFOLK, Va.—Rev. Hunter, slanderer of the International Labor Defense and traitor to the Negro people, was put on trial April 8th by the workers of Norfolk and found guilty of being a traitor to his people, by a jury composed of Negro and white men, women and youth representing various organizations.

Rev. Hunter, fearing the wrath of the workers and the ruthless exposure of the trial, did not appear. No witness took the stand to defend this lackey of the ruling class.

The first witness against Rev. Hunter was C. Brown, Secretary of the I. L. D., who was present at the Baptist Ministers Conference when Rev. Hunter attacked the I. L. D.

A committee went before the conference to ask the Baptist ministers to support the fight for the freedom of Johnson, framed Negro worker. Rev. Hunter did everything in his power to prevent such support. Knowing that the tactic of bringing in the boget of the "Red Menace" no longer scared the workers, Hunter used the religious issue.

He proclaimed that the members of the I. L. D. called their jackasses Jesus Christ and their cows, Virgin Mary and all smaller animals after the apostles and therefore such an organization should have no support from the ministers.

The first witness for the prosecution, C. Brown, was asked if he knew of any members of the I.L.D. who named their jackasses, Jesus Christ and cows Virgin Mary and smaller animals after the apostles. Brown replied in the negative and continued that he knew no member fortunate enough to possess a jackass or a cow. When asked by the prosecutor, A. Wright, if the I.L.D. was anti-religious, C. Brown read the program of the I. L. D, thereby proving that there was not a word against religion and in fact called upon all workers regardless of religion, color or political belief to join the I L. D.

The Judge, Rev. H. S. Carrington, charged the jury; that they have heard the witnesses testify as to the charge of liar and betrayer against Rev. Hunter, heard the defense appeal for leniency and the prosecution summarize the crimes against the Negro workers; the sabatoge against the I. L. D. and its fight for the freedom of the framed Negro worker Johnson. The Judge charged the jury that a minister found guilty of such charges should be expelled from the ministry and shunned by all workers.

The jury returned with the decision that Rev. Hunter was guilty; and proposed that the Baptist Ministers Conference should expel him; that letters of this decision be sent to the press and all I. L. D. branches. Workers at the trial all rose in full support of the decision and proposals.

Louisiana

Labor—1935
Unions, Strikes, etc.

Violence Flares In Docks Strike

White Man Shot At New Orleans; Lake Charles Truck Driver Is Beaten

NEW ORLEANS, Oct. 12.—(AP)—The International Longshoremens Association Gulf ports strike reflected violence today in the port of New Orleans with a white man shot a glancing blow on the nose and an argument at Lake Charles, La.

Elsewhere in the ports affected, Gulfport, Mobile, Pensacola and the Texas ports, the day passed peacefully with picketing and on the mid-Gulf ports shipping was reported going ahead in "normal" fashion.

The man shot here was identified by the police as Henry Hayes, 36. A bullet grazed his nose and it was fired by a policeman who was guarding an automobile load of dock workers en route to the Galvez Street docks.

The police said that two automobile loads of workers were stoned by a street crowd and that shots were fired. Officer Williams Hines fired at the crowd and hit Hayes.

Hayes was treated at Charity Hospital and later was charged with six others with shooting with intent to kill.

Heavy picket lines were established at Lake Charles and a rice truck driver reported to police that his truck was halted last night near the docks and said he was beaten by longshoremen.

I. L. A. workers in Texas and in Lake Charles went out on strike yesterday in protest against the refusal of the steamship authorities in New Orleans and the other ports to recognize the I. L. A. locals.

In New Orleans, Gulfport, Mobile, and Pensacola, ships are being worked with independent labor and sailings, the steamship men claim, are being maintained.

But in New Orleans T. J. Darcy, vice president of the International Longshoremens Association issued a statement in which the steamship association claims were denied.

Darcy said that, instead of the claimed 19 ships worked with 1,600 men employed at New Orleans yesterday, "only seven ships were worked with crippled crews of men, consisting of approximately 480 men, all inefficient labor."

"In many instances," he said, "gangs were shifted from one ship to another for effect, in order to classify them for working."

Longshoremen's Pickets Are Shot At New Orleans

NEW ORLEANS, Nov. 1.—(AP)—A white man and a negro, said to be pickets in the International Longshoremen's Association strike, were shot and wounded late today by a group of negroes in an automobile after several of the pickets hurled bricks into the automobile, smashing the windshield.

Peter Bouterie, 29, received gunshot wounds of the face, tongue, right arm, abdomen and right thigh. Taken to Charity Hospital, he was reported in a serious condition.

Benjamin Lacour, 29, negro, received multiple gunshot wounds of both legs. He was taken to Charity Hospital, where his condition was pronounced undetermined.

10 Shot In Fight On Strike Scene

One Man Slain In Duel As Longshoremen Move On Officers At Lake Charles

LAKE CHARLES, La., Oct. 22.—(AP)—Machine gun, rifle and pistol fire raked the Lake Charles docks section late today in the International Longshoremen's Association strike in a gory battle that accounted for at least 10 casualties.

One man was fatally wounded and nine others were felled by bullets and taken to the hospital for emergency treatment.

The violent outburst broke out suddenly between 75 specially-commissioned officers guarding the docks from a blockade of picketing by striking I. L. A. longshoremen and an undetermined number of I. L. A. sympathizers who secreted themselves in the woods flanking the docks area and fortified their positions along the roads.

Blood ran in the docks section and ambulances whined their way through the picket lines, picking up the wounded even before sporadic firing ceased on the battle front.

Bullets whizzed off and on for many minutes after the main fusillades of shots had ceased and residences in the neighborhood were nipped by the shots.

Some of those taken to the hospital were reported in a critical condition. Early reports stated that all of those wounded were guards on the dock front, but another report said that one of the I. L. A. pickets had been treated for a minor wound at a downtown doctor's office.

Reports today stated that several hundred I. L. A. pickets were stationed over a six-mile area near the docks and about the roads leading to the wharves in their attempts to prevent the loading of ships with independent labor of the Louisiana Longshoremen's Association, a rival organization, whose more than 200 workers were quartered yesterday at the docks behind the machine guns and rifles.

The dead man was of middle age, weighing about 185 pounds, heavy-set, and wearing a white shirt, brown troussers, and sport shoes. His body was removed to a local undertaking parlor pending identification and an inquest.

The signal for the encounter was set off by bullets as three of the docks guards who had gone into Lake Charles on a provisions truck attempted to pass back through I.L.A. picket lines to the docks with their loaded truck.

Bullets spat and the three guards were forced to turn their truck from the port road and to flee across Calcasieu River Road toward Sulphur, La.

Firing then was taken up over a wide area with bullets whizzing over a no-man's land stretching between the woods east and southeast of the docks and the guard stations on the docks.

Color Line Is Basis Of Dock Workers' Row

Colored Longshoremen Get "Raw Deal", Organize Independently

NEW YORK, Nov.—Discrimination against Negro longshoremen by the International Longshoremen's Association has caused the organization of two strong independent longshoremen's unions in New Orleans, according to Robert C. Francis, writing in the December issue of *The Crisis*. One of the independent unions is colored and the other white. Mr. Francis asserts that they handle ninety percent of the longshore work in New Orleans, and that the International Longshoremen's Association, affiliated with the A. F. of L., has called a strike of its few workers on the docks solely as an effort to break up the independent unions.

The writer asserts that the colored longshoremen in New Orleans have had a disappointing experience in the past with the I. L. A., and prefer to organize independently. At the time when the I. L. A. was strongest in New Orleans, with both colored and white members, the colored members were said to have received so many "raw deals" that they, with independent white longshoremen, withdrew and took over practically all the work on the river front. The I. L. A., is now accusing these independents of being "strike breakers."

Another article in the December Crisis is "Ethiopia at Geneva," by Dorothy Detzer, who gives an eye-witness account of the dramatic moment in the League of Nations when Italy was accused of aggression and when Mussolini's delegates to the League left the hall when the Ethiopian delegate started to speak. The December *Crisis* also contains a Christmas story, "Echo of the Distant Drum," by Carol B. Cotton.

Labor- 1935

Maryland

Unions, Strikes, etc.

Back Detroit Strike

Daily Worker

THE strike of the members of the new Automobile and Metal Workers Industrial Union in the Motors Products plant in Detroit deserves the support of the labor movement. 11-18-35

The strike is significant because it shows that the membership of the new union is determined to struggle against wage cuts and for better living standards.

New York

Matthew Smith, secretary of the new union, said the strike "will wash away the remnants of company unionism and Coughlinism" in the new union.

The aims of the membership of the new union and of the members of the A. F. of L. Auto Workers Union are the same. The membership of both unions want to defeat attempts to worsen the conditions of the auto workers.

Joint action between the A. F. of L. union and members of the new independent union, to win the strike, is now on the order of the day.

Such joint action will be a step towards unification of the auto workers in one union affiliated with the A. F. of L. and democratically controlled. Such unity of the auto workers within the A. F. of L. is essential in the organization of the unorganized auto workers and the winning of the auto workers' demands.

Labor - 1935

Unions, Strikes, etc.

Negro Labor Committee

NEGRO LABOR TO DEDICATE NEW HOME IN NEW YORK

New York City, Nov. 27.—Announcement was made today that on Sunday afternoon, December 15, the Negro Labor Committee will dedicate its new home, the Harlem Labor Office, 312 West 125th Street, to the labor movement with appropriate exercises, according to Morris Feinstone, secretary of the United Hebrew Trades and chairman of the Dedicatory Committee and Frank R. Crosswaith, chairman of the Negro Labor Committee.

An imposing list of outstanding Negro and white labor leaders will speak. Among them are William Colliss, representing President William Green of the American Federation of Labor; A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters; Julius Hochman, General manager of the Joint Board of Dress and Waistmakers Union ILGWU; James Rambrick, president Greater New York Council Building Service Employees Union, 32B; Luigi Antonini, gen'l secretary, Italian Dressmakers' tive director League for Industrial Democracy; Joseph Schlossberg, gen'l secretary-treasurer Almalgamated Clothing Workers of America; Charles Zimmerman, secretary-manager Dressmakers Union, L 22 ILGWU; B. Chaney, Vladek, chairman Jewish Committee and David Dubinsky, president Int'l Ladies Garment Workers Union and vice president A. F. of L.; Rev. Frazier Miller, outstanding progressive Negro clergyman, will deliver the invocation.

"The center will house many of the legitimate labor unions doing work among Negro workers in the Harlem area. In addition to union offices, the educational departments of the Dressmakers Union, L 22 ILGWU and the International Ladies Garment Workers Union will conduct classes in Trade Unionism, Public Speaking, Social Sciences and other subjects. A workers library will also be established ni the center. "A musical program featuring the celebrated ILGWU chorus and several outstanding Negro and white artists will also participate in the dedicatory exercises", according to Mr. Crosswaith.

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New York.

Unions Seek To Adjust Negro Workers' Cafe Difficulties

Cannot join union unless another spot employs colored waiters — wardrobe union closed to Negro workers — musicians, projectionists and AFA recognize situation

NEW YORK, April 20.—The move of two theatrical unions this week to adjust their relations to Negro workers reveals the long-standing difficulty that Negroes have had in joining theatrical protective organizations. In the cagaret field, for example, colored waiters have been kept out of the better-class spots. They are so scarce in Broadway spots than when the Palais Royale changed its name to Connie's Inn and announced it would use sepia servers along with its colored show, the restaurant workers' union (Local 16) was unable to take them in, pointing out it would have no other jobs for them once Connie's Inn had closed. Connie's Inn, a union spot, has opened with a non-union colored crew, altho the union and the nitery have agreed that the Negro foodworkers should join the union if another restaurant using a colored crew opened on Broadway.

The Theatrical Wardrobe Attendants' Union is now considering a campaign to organize theatrical costume shops, which employ a large number of Negroes. This would be a radical move, as the union has no colored members now. In fact, it has been worried for a long time by the colored maids used in legit houses backstage, since it feels they take the jobs of regular union wardrobe attendants.

Other theatrical unions have realized they must either go after Negro workers energetically or else permit them to undermine union working conditions and wage scales. The projectionists' union, Local 306, was virtually forced to take in Negro projectionists for the Harlem theaters recently. The musicians' union, Local 802, elected William Conaway, Negro, to the executive board at the last election, acknowledging the importance of the color line. The American Federation of Actors recently held rallies in Harlem for vaude and night club actors, and this week appointed Noah C. A. Walter Jr., secretary of the Harlem Labor Committee, as a special organizer.

The NVA, only vaude organization in the field before the AFA came along, has never had Negro members.

Ruminations

Sports or Race: Which?
Angelo Herndon's Case
If He Loses, We Lose
Negroes Are Prejudiced

By J. A. ROGERS

THE EXPLOITATION of the masses has been easy because, regardless of time or race, they can always be counted on to ignore matters most vital to their welfare and be made to focus their attention on things that count for little or nothing. For days as I watched the eagerness with which Negroes paid sums from $5 upwards to see the Louis-Carnera fight, I could not help thinking of the apathy towards a vastly more important battle—that of Angelo Herndon against the old slave laws of Georgia.

J. A. Rogers.

I believe that I take as much pride as anyone else in an athletic victory by a Negro. Yet, to the general welfare of the group, such a victory, even if it be a world's heavyweight championship, means little, if the past may serve in any way in forming a correct estimate.

* * *

WITH REGARD to Angelo Herndon, here was one who was exercising his right to free speech under the Constitution. He was endeavoring—and with considerable success—to let starving Negroes and white people see that their interests lay, not in quarreling among themselves, but in uniting. Herndon was arrested; an old law that was wiped out by the Thirteenth amendment was resurrected against him, and he was sentenced to twenty years on the Georgia chain-gang a penalty worse than death—for that which would be no offense in New York.

Herndon took his case to the United States Supreme Court which, on a flimsy pretext, ruled against him. Herndon's only hope now is to so arouse public opinion over the nation that it will demand a reversal of his sentence. As he said in a letter in last week's Amsterdam News, he is trying to get 2,000,000 signatures petitioning his release and the annulment of the slave law.

* * *

SHOULD Herndon lose, the loss to the Negro group, especially those living in the former slave states, would not be compensated for if every athletic championship in the United States was held by a black man or woman. This is not intended as an attack on athletics, but merely as a suggestion that attention be given issues commensurate with their value.

What most Negroes forget is that their group is still in the midst of a stern fight for their rights—that daily their cause goes either forward or backward—that the comparative freedom many enjoy is the result of the fight being put up by others; and that, if these latter were to quit, that little freedom would diminish until it was taken away altogether.

* * *

SOME MONTHS ago in Turkey a sharp diplomatic fuss was caused by the forcing of the Egyptian delegates to take off their fezzes. Most Americans will probably consider those involved a pack of fools. Why all this heat and bother about the wearing of a cap? Yet most Americans probably read with approval of the beating down of the door of several New York flats last week by the law over the ousting of a citizen because of his color. Since neither the wearers of the fez nor its objectors recognize a color line, it will be their turn to marvel at human stupidity.

* * *

RECENTLY one of our more civilized young Negro professionals took a white girl to a Negro "society" dance. This girl, who was probably as cultured as anyone present, was thoroughly snubbed. To have received any colder treatment she would have had to be black. Had this white girl been known as colored, however, she would have received all that special attention accorded "light" women.

Here's another facet to this story: A white man took his Negro friend to a Harlem establishment run by Negroes and which caters to white men. This time it was the Negro male who was given the cold shoulder. Since this buffet-flat is situated in one of Harlem's "society" neighborhoods, it is not improbable that among the inmates were some of the same "society" ladies that snubbed the white girl at the dance.

ONLY 2 MOVE TO KINGHAVEN

Pickets Continue to Fight High Rents On Sugar Hill

Only two Negro families had moved into Kinghaven, the building at 445 West 153rd street, Thursday morning, John P. Peel of the management admitted that day.

Thursday, August 1, was the day designated for throwing the doors open to Negro tenants. But Negroes seemed reluctant to fill up the fifty-eight apartments of the house. First, they were wary of the increased rental as imposed upon them as the price of color. Second, they are reluctant to move into a house which is being picketed by the Consolidated Tenants' League in an effort to keep the rents at the same price paid by white tenants. Thursday Mr. Peel indicated no intention to reduce the rents or to retain the present rent scale of whites now occupying some of the apartments.

Although $55 is asked for four rooms, it is understood that in one instance a Mrs. Bertha Lloyd is reported to have been offered four rooms for $40. This was denied by David Lave, resident manager. The management of the house had previously reported that twenty-six had signed for apartments. However, last week it was restated that only seven Negro tenants had signed up.

SHIPPING CLERKS TO CALL STRIKE

Walkout Is Planned in Whole Garment Trade

The first strike call for the general walkout in the garment industry is expected to be sounded Monday night, August 26, when the Ladies' Apparel Shipping Clerks' Union, Local 19953, A. F. of L., holds a mass meeting at the Hotel Diplomat, 108 West Forty-third street. Forty-five per cent of the union's 1,500 members are Negroes.

The mass meeting will probably be attended by William Green, president of the American Federation of Labor, and Joseph Ryan, president of the Central Labor Trade Council of New York. Speakers will include A. Phillip Randolph of the Brotherhood of Sleeping Car Porters and James J. Bambrick of the Building Service Employees' Union. Alexander Alken is president of the Shipping Clerks' Union and Ludwig E. Harrigan is secretary-treasurer. Both are colored.

A general strike is expected in the garment trades industry on September 1, when the contracts signed under NRA expire.

New York Evening Post

NOV 19 1935

RED-BAITER NO. 1 LAMENTS FAILURE OF HIS LIFE-WORK

Easley Shudders as He Pictures Radical "Virus" Infecting Nation's Key Positions

HAVING DEVIL OF A TIME RAISING $50,000 BUDGET

By EDWARD LEVINSON

Ralph Easley today looked back upon his thirty-five years of effort to save the nation from the radicals—and he shuddered.

The gray-haired chairman of the executive council of the National Civic Federation paced the floor of his Park Avenue apartment formulating his shudders into words.

"Despite all the good work done by the Federation during its thirty-five years' history," Mr. Easley began. Then the words came too fast for complete note-taking:

"International organization" . . . "foreign government" . . . "destruction of our cherished institutions" . . . "31,000 trained and venomous agitators" . . . "sworn to further diabolical objective."

Confesses Failure

Later Mr. Easley furnished a written copy of his thoughts. In it, the man who has discovered and exposed more "Red plots" than any other five men in the nation, confessed the failure of his life-work.

"In 1900," Mr. Easley lamented, "we little dreamed that the time would ever come when many of our Government agencies, colleges, schools, churches, labor and agricultural organizations, Negro and foreign-born groups and a goodly part of the press—yes, many of our daily newspapers are inoculated with the Red virus—would be honeycombed by Communists in key positions."

Mr. Easley's every word during an hour-long interview was noted by a stenographer seated at a far end of the living room, a room filled with mysterious darkness though the time was midday.

Is Fitting Setting

It was a fitting setting for the dark things Mr. Easley hinted of. At some future date, he said, he would let the interviewer in on some "confidential stuff," including "secret correspondence with the State Department."

There are other things that disturbed Mr. Easley as much as the alleged seven-league strides being made by Communists bent on converting the White House into a Palace of Soviets.

There is the current leave-taking of the National Civic Federation by Matthew Woll, its former acting president, and other labor leaders, as a result of John L. Lewis's attack at the recent convention of the American Federation of Labor.

Cites Budget Trouble

And there is the fact that the National Civic Federation is "having a devil of a time," as Mr. Easley put it, raising its annual budget of $50,000 a year.

The letterheads of the Civic Federation today bear several ink smudges, hiding the names of some of the labor leaders who gave way before Mr. Lewis's war-cry.

Ink covers the name of Mr. Woll and also of Joseph P. Ryan, head of the longshoremen, who was the chairman of the Civic Federation's Department on Russian Relations. In effect, Mr. Ryan and Mr. Easley felt there should be no relations.

Mr. Easley was still hopeful about labor's co-operation.

Interest to Continue

"The blow sustained as the result of Mr. Woll's resignation," the daddy of the Red-baiters said, "is softened by the knowledge that it means only the severance of official relations; that his interest in our work as well as the helpful co-operation between the A. F. of L. and the N. C. F. will continue.

"At any rate, we shall offer our co-operation whenever it would seem of value, as we are now doing through a proposal I shall describe."

Mr. Easley's proposal was contained in a letter to the Chamber of Commerce urging that it support the A. F. of L in a campaign, announced by a local labor agent in Minneapolis, to drive the Reds out of the unions.

Before the "co-operation" could get under way, however, William Green, head of the A. F. of L., washed his hands of the Minneapolis incident and called it a local matter.

Mr. Easley thought he might still prevail on some laborites to speak at his annual meetings, where "the best brains of the nation" come together to "seek the solution of some of our great problems."

Recalls Gomper's Stand

Disclaiming any intention of criticizing Mr. Woll for his precipitate resignation in face of Mr. Lewis's attack, Mr. Easley recalled with obvious appreciation how Samuel Gompers, when president of the A. F. of L., reacted to a demand that he quit the Civic Federation.

"This is the way he did it," said Mr. Easley. He then gave his recollection of how Mr. Gompers walked the floor in heavy thought and then ejaculated, "By God, we'll fight."

Aside from the plaint on the "devil of a time" he was encountering raising his annual budget, Mr. Easley was reticent as he always has been on money matters. He declined to name his contributors, though he dropped some hints.

"We had John Mitchell, one-time head of the miners' union, on our pay roll for three years.

"The U. S. Steel Corporation gave us $1,000 a year for a time. Our contributors demand secrecy. One man paid his thousand dollar gifts in $500 bills. He would give us no checks."

To fill the void created by the soft-pedalling of labor-capital co-operation, made necessary by the loss of its chief labor exhibits, the Civic Federation will concentrate for the next few years on the question of public utilities.

The Federation, years ago, after solemn and thorough research, decided it was against public ownership of the utilities, but was in favor of regulation. It spent $100,000 coming to that conclusion.

Investigators Disagree

Then the question came up: How much regulation ought there be? Eighteen months and $200,000 was spent trying to find out what would constitute "adequate regulation," but no answer was forthcoming. The investigators could not agree.

Mr. Easley has decided to revive that question. As he sees it, the problem is to get honest regulators. In the meantime, he and the Federation will fight Government ownership.

The "trust problem" how to lift Government bans on honest combinations; Federal liquor control, "subversive activities, foreign relations, peace and war," will be the other subjects around which Mr. Easley will attempt to eke out his year's work now that labor leaders have deserted his craft.

Labor - 1935

Unions, Strikes, etc.

New York.

Bronx, N.Y. Home News

FEB 10 1935

Catholics Urged to Fight Red Hold on Colored Folk

Steps should be taken by the Roman Catholic Church to combat the rapid progress Communists are said to be making among colored citizens, Dr. Hudson Oliver, colored vice-president of the Laymen's Union, said yesterday at a meeting of the International Federation of Catholic Alumnae in Brescia Hall of the College of New Rochelle.

He suggested the general acceptance of colored people as social and intellectual equals in the church, schools and homes as one of the most potent measures that could be taken. In this respect, he said, certain people "are holding themselves out to be good Catholics when they are not."

Twenty-five colleges here and abroad were represented by 110 delegates. Other speakers were Dr. Elizabeth Salmon, of the College of Mt. St. Vincent; Helen Toole, of the College of New Rochelle, and Dr. Marie Madden, of Fordham University.

PLAN TO FIGHT BAN ON NEGRO

N. Y. amsterdam News

2-27-35

Crosswaith Elected to Head New Workers' Organization

Delegates representing 110 labor unions met last Saturday at the Renaissance Casino, Seventh avenue at 138th street, to organize the Negro Labor Committee as a permanent body designed to promote unionism among Negro workers and to combat discriminatory practices against Negroes in the labor movement. The Unions represented have memberships totaling 350,000 workers in New York City.

The meeting was in response to a call issued by the Harlem Labor Committee, 2005 Seventh avenue, of which Frank R. Crosswaith is chairman. Mr. Crosswaith, who presided at the meeting, was elected chairman of the new committee.

A six-point platform was adopted by the conference as the objective of the newly formed oraganization. The Negro Labor Committee proposes to co-operate with existing trade unions in the organization of unorganized Negro workers; to promote workers' education with a view to enlightening Negro workers on their class interests; to participate in and to assist in organizing and developing strikes on the part of existing bona fide unions against wage cuts, for higher wages, shorter working hours, better working conditions, and the right of self-organization; to establish and maintain a Negro labor news service; to work in the interest of bringing all available Negro workers into the American Federation of Labor and to advocate mixed instead of separate locals, and to oppose all discriminatory practices against any race; and to work and fight for the elimination of the color bar in any union affiliated with the A. F. of L.

Support A. F. of L.

The desire to work within the framework of the A. F. of L. was expressed by Mr. Crosswaith and supported by A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters; Morris Feinstone, executive secretary of the United Hebrew Trades; and William Mahoney, New York State organizer of the A. F. of L. Crosswaith and Randolph admitted that the federation had been and still is guilty of discriminatory practices against Negro workers, but insisted that the arena in which to fight these practices is within the federation.

On this basis, the conference refused to admit a representative of the Emergency Home Relief Bureau Employees' Association except as a voteless fraternal delegate, although delegates from the New York Newspaper Guild were accepted. Neither organization is a member of the A. F. of L., although both have taken steps towards affiliation. Protesting against this exclusion, Arnold P. Johnson, delegate of the relief workers' organization, withdrew from the conference denouncing the "gag" that he said had been imposed upon him and his organization.

Representing William Green, president of the A. F. of L., Mahoney brought greetings from his chief and promised the co-operation of his office to the new committee. "It is time," he said, "that something be done towards organizing the Negro worker. Only too long have the employers used black against white and white against black in order the better to exploit all workers."

In a letter read to the body, Mr. Green declared that "there is no organization in America which stands more firmly for the protection of the economic rights of all classes of people regardless of creed, color or nationality than the American Federation of Labor. When working men and women accept membership in the American Federation of Labor they are assured that there will be no discrimination against them because of creed, color or nationality. We are constantly endeavoring to promote a condition where all international unions affiliated with the American Federation of labor, clothed with autonomous authority, will conform to the declarations, procedure and principles of the American Federation itself regarding the admission of members without regard to race, creed, color or nationality."

Thirty-Hour Week Approved.

In addition to Crosswaith, Randolph, Mahoney and Feinstone, speakers, included Mrs. Margaret Elise Ayers, public school principal, who urged the necessity of training children in the meaning of the trade union movement; Noah C. A. Walter, Jr., secretary of the Harlem Labor Committee, who opened the conference; and Jacob Mirsky of the Bricklayers Union, vice-chairman of the conference.

Resolutions adopted called for the elimination of constitutional and ritual restrictions against Negroes in A. F. of L. unions; supported the demand for the thirty-hour work week; congratulated the Brotherhood of Sleeping Car Porters on its recent victory over the company union; condemned lynching and those senators responsible for defeat of the Costigan-Wagner anti-lynching bill; called upon "all Negro clergymen to devote at least one Sunday per month to the consideration of the economic plight of their worker-parishioners," encouraging them to join bona fide trade unions; commended the labor solidarity of the International Ladies Garment Workers Union in fighting race discrimination; approved a workers' rights amendment to the Constitution of the United States; condemned the failure of the New York State Legislature to ratify the child labor amendment; called upon the Negro press to recognize its obligation to the Negro worker and commended the "increasing interest and sympathy with the industrial and socio-economic problems of the Negro workers of The New York Amsterdam News"; urged organization of unemployed workers; and called for the publication of the proceedings of the conference.

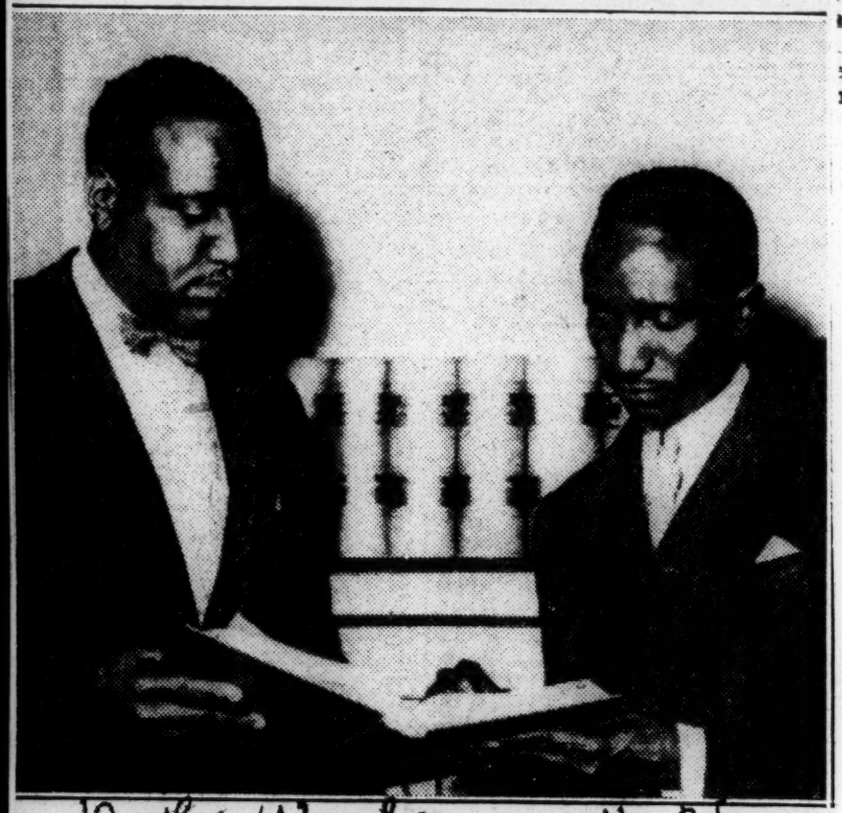
Because the resolution committee "anticipated no disagreement," resolutions on Herndon, Scottsboro, a labor party, Fascism and Ethiopia were referred to the incoming executive committee of twenty-five Negro and white members of various bona fide trade unions.

Committee of 25 Named.

A permanent executive committee of Negro and white members of A. F. of L. unions was named to continue the work of the conference. The committee included Frank R. Crosswaith, general organizer of I. L. G. W. U.; A. Philip Randolph, president, Broterhood of Sleeping Car Porter; Julius Hochman, vice-president, I. L. G. W. U. and general manager Joint Board of Dressmakers Union; Thomas Young, vice-president, Building Service Employees Union, 32-B; Abraham Miller, executive secretary Joint Board New York Amalgamated Clothing Workers Union; Noah C. A. Walter, Jr., secretary, Harlem Labor Committee; Winifred Gittens, Blouse and Waistmakers Union Local 25, I. L. G. W. U. (member executive board); Murray Baron, manager, Suitcase, Bag and Portfolio Workers Union; I. Laderman, president International Pocketbook Workers Union; Clifford McLeod, chairman, Harlem Council Building Service Employees Union, 32-B; Murray Gross, business agent, Dressmakers Union, Local 22, I. L. G. W. U. (member executive board).

Also William Alexander Conaway, American Federation of Musicians, Local 802 (member executive board); Jack Butler, Taxi Chauffeurs Union, Local 19795 (member executive board); Joseph Machey, international representative International Laundry Workers Union; Norman Donawa, Dress and Waist Pressers Union, Local 60 I. L. G. W. U. (member executive board); Edward Richardson, Van Drivers and Helpers Union, Local 814 (member executive board); Edith Ransom, Dressmakers Union, Local 22 I. L. G. W. U. (member executive board); B. F. McLaurin, national organization, Brotherhood of Sleeping Car Porters Union; Lyra Sixto, Ladies Neckwear Workers Union, Local 142, I. L. G. W. U. (member executive B); P. A. Moore, business agent and organization Dining Car Employees Union, Local 370; I. Levinson, Joint Council Knit Goods Workers Union (member executive board); Bertram Taylor, business agent and organizer, Union Mechanics Association and Vice-Chairman Harlem Labor Committee; Jacob Mirsky, President Bricklayers Union Local 37; Jack Wolheim, Motion Picture Operators Union, Local 306; and Gordon Haynes, president Union Mechanics Association and member executive board, Carpenters and Joiners Union, Local 1838.

COUNSEL AGAINST FASCIST OFFICIAL



Daily Worker 9-16-35

Two Negro lawyers shown here, will appear with two white lawyers as the defense counsel of Miss Jane Speed and Mrs. Julia Church Kolar, accused of hurling a bottle of ink at Prince Guido Colonna, Italian fascist vice consul in New York, when they went as a delegation from the American League Against War and Fascism to protest against Mussolini's invasion of Ethiopia, at their trial in Magistrate's Court, 153 East 57th Street, tomorrow at 10 A.M. Ben Davis, Jr., (left) who defended Angelo Herndon, and Horace I. Gordon who participated in the Mayor's investigation of Harlem recently, are the two Negro attorneys. Joseph Tauber of the I.L.D., and Anton Seigel of the American League Against War and Fascism, are the other two attorneys. Davis and Gordon will speak at a mass meeting in support of the two women to be held tonight at the Mother A.M.E. Zion Church, 140 W. 137th Street, Manhattan.

First Negro Medico Is Appointed To CCC Camp In Middletown

Cinque

MIDDLETON, N. Y.—The distinction of being the first colored officer called to active duty in the Second Corps Area of the CCC Camps rests with Lieutenant Philip A. Beach, Medical Reserve of the United States Army, it was reported this week. The Second Corps Area includes the three states of New York, New Jersey, and Delaware. 11-2-35

Lieutenant Beach was recently transferred from Camp Dix to Middletown, New York, where he is associated with two other lieutenants, Dr. W. B. Perry of Atlantic City, and Dr. Albert V. Anderson of New York. The three men have charge of the health and sanitation for 1,400 enrollees and about 24 officers and educational advisers.

The camp is located about sixty miles from New York and is situated at Breeze Hill, about seven miles out of Middletown.

C. C. N. Y. Graduate

A graduate of City College with the degree of B.S. in 1930, where he also received his certificate as sergeant of the R. O. T. C., Beach entered Howard University from which he was graduated in 1934 with his M.D. degree. His internship was served at Harlem Hospital and was completed this year. He is licensed by the New York State Medical Board to practice medicine and surgery.

While a student at college, Dr. Beach took part in various activities. An accomplished pianist and musician, he appeared before many of the notables in public and official life while in Washington, on one occasion, receiving an invitation to entertain the Ambassador from Germany to the United States.

Labor-1935

Ohio

Unions, Strikes, etc.

Sanford, N. C. Enterprise
April 5, 1935

OHIO NEWS

The Negro Worker must organize into one National organization, says E. M. Harrison of Warren. O who spoke to a group nearly 500 men and women, who gathered to hear him last Sunday at the Urban League center. I know of no better Union, than the National Negro Workers Union, he said The A. A. A, and the American Federation of Labor have had their delegates in Washington since the huge bills was started they was not sent there in the interest of the Negro, but for the organization of the whites and Negro should have been represented there himself, If the whites have to organize to get what they want, the Negro must do the same. It is the Negro Worker who is caught in the duststorm now and not the Professional Negro. He is hated by all of the white races, not because he is black or because he was once a slave. Mr. Harrison said, but because you are contending for the things that he wants for himself and he hates you When the Negro slaves were forced to do the work on the plantations in the south, the poor white worker hated him because he was doing the thing that he wanted for himself. But he hated the wrong one, he should have hated the slave owner instead of the slave. We are nearing another war, he said let us hope that it will not happen, but if so it will happen through hate, and that hate will be cause one nation wants what the other has.

At the close of the meeting, 285 came forward and joined the National Negro Workers Union, and Club is going strong.—Rowlin W. Crumply, Reporter,

NIGHT ATTACK ON TWO HINTS LABOR TROUBLE

Cleveland,

Independent Towel Men Are Victims In Latest Labor Rumpus

POLICE HUNTING TWO ALLEGED ASSAILANTS

Head Of Firm Not Aware Of Sources Of Trouble, Except Unions

The fire of labor disputes of more than a year ago was evidently on the way to be re-kindled around the Independent Towel Company, 1802 Central Avenue, last Tuesday afternoon, when three unidentified men sprang from a black V-8 Ford Sedan and assaulted John Renalds, 2200 E. 49th Street and William Benson, 4511 Scovill.

There are approximately 280 people employed at the Towel firm, and, according to Mr. Sanford Miller, president of the firm, they joined the Laundry Workers Union more than fifteen months ago, paying two dollars for the initiation fee and one dollar monthly dues. Since that time many of them are far behind with their dues.

Mr. Miller also recalled that on many occasions these back dues members had been approached by members of the union, allegedly headed by the Jess Gallagher Business Agency; but just what resulted from these approaches was not learned.

Renalds and Benson told police that they were leaving their place of employment "on their way home, and when they were in front of the Independent Towel Company, that three men whom they could not identify, sprang upon them inflicting wounds with iron pipes. The men rushed back to their waiting automobile and escaped." In the mix-up Benson was struck on the mouth and Renalds over the head.

Police are making every effort to apprehend the assailants and curb any trouble that may be in the making for the members of the L. W. U., not only at the Independent Towel, but throughout the city.

On the back track of Tuesday's assault on Renalds and Benson one of the local labor union leaders was allegedly shot at by what police term "bore more than one angle." The man was shot from an automobile with a shotgun, according to an unknown witness and is said to be the work of professional gangsters. But whether this has any bearing on the Laundry flare-up was not revealed late Wednesday afternoon. According to reports, Mayor Harold H. Burton is working with police department making every effort to curb these assaults before they become a menace to all Cleveland.

Funeral services were held last Tuesday from the St. Marks Presbyterian Church for Mrs. Martha Wheeler, 2369 E. 55tr Street. Rev. Jefferson, pastor, officiated.

Mrs. Wheeler had been ill for sometime, having been in the City Hospital during the summer. At that time her condition was improved and she was returned home. Several weeks later, Mrs. Wheeler suffered a relapse and was returned to the hospital where she died last Friday morning.

Labor—1935

Pennsylvania.

Unions, Strikes, etc.

Negroes Tie Up 3 Film Houses In Philadelphia

Daily Worker

Operators Appeal for Aid in Walkout for Union Recognition

12-2-35

PHILADELPHIA, Pa., Dec. 1.—An urgent appeal to the population of the neighborhood for support to the striking motion picture operators of three Wax theatres was made yesterday by John W. Newman, president of Local 307-A, Motion Picture Operators Union, A. F. of L. The theatres affected are the Royal, Fifteenth and South Streets; the Standard, Twelfth and South Streets, and the Pearl at Twenty-first Street and Ridge Avenue.

The strike was started when on Sunday, Nov. 17, the first Sunday performance since the passage of the recent movie bill was opened without the services of the six Negro operators. Failure of the owners to recognize the union brought the workers out.

Numerous conferences between the workers and Morris Wax, representing the exhibitors, brought no understanding when the operators refused to turn in their union charter. While no final agreement had been reached even on the wage question it was viewed as of secondary importance. Mr. Wax agreed to pay $40 and $25 for two licensed operators at the Royal and the same for two at the Standard or $40 each for three to work the two theatres. This proposition was refused by the operators on the grounds that two other theatres on the same street, classified in the same and smaller category, pay a scale two and three times the amount offered by Mr. Wax.

Urging especially the Negro population of the neighborhood to refrain from patronizing the theatres mentioned, the appeal revealed the history of the struggle for employment of Negro operators. Although Mr. Wax was willing to pay his chief operators $60 a week in 1929, the management continually reduced the wages until the man holding this job was getting thirty cents an hour for a thirty-hour week, or $9 a week instead of $60.

After a prolonged struggle the Negro operators were admitted into the A. F. of L. union as an auxiliary to Local 307. At once, jobs for Negro operators were made available at the Lincoln, Fay's and the New Jewel theatres. But the jobs at Wax houses were lost when their union was not recognized.

Members of the union decided not to yield what they have gained through affiliation with the union which has been recognized by all other theatres employing Negro operators, but to continue to work for greater jurisdiction and security. These workers received the promise of the union to back them in every respect.

Bent on a determined struggle to win their right to the jobs while belonging to a bona fide labor union the workers urged all workers and sympathizers to express their protests through boycott of the theatres and through protests by mail, over the telephone and by personal visits to the management.

Boost in Wage Scale Agreed Upon for Year

Scale of $40 to $25 Is Okeyed by Projectionists.

Afro-American

PROMINENT FOLK IN PICKET LINE

12-14-35

Mrs. Rainey Calls the Strike "Mistake."

Baltimore Sun.

BY J. ROBERT SMITH

PHILADELPHIA, Pa. — The four-week strike of the movie operators was brought to a close at 6:30 Tuesday evening as Morris Wax, white, manager of the Pearl, Royal and Standard Theatres, signed an agreement with the strikers to give them fair and living wages.

Before the agreement was reached, a picket line, in which were State Representative Hobson R. Reynolds, Dr. John K. Rice and other prominent citizens, was instrumental in keeping away the regular afternoon patrons from the Pearl Theatre on Ridge Avenue.

Up to the time that Mr. Wax conceded to the demands of the operators, Mrs. Ida Mitchell, Adolphus Lewis, the Rev. Arthur Rankin, Donald W. Wyatt, Dr. Voigh Jones, George Williams, Joseph Brinkley, Dr. Vivian Bailey, the Rev. J. W. Jefferson;

Mrs. Sarah Gayle, Dox Thrash, Earl Huff, Miss Catherine Morgan, the Rev. J. H. Johnson, the Rev. S. W. Price, the Rev. Joseph H. Hudson, the Rev. J. C. Beckett, Dr. L. Christmas, all North Philadelphians, took their turn on the picket line.

Agreement Made

At a conference called at the Royal Theatre, Sixteenth and South Streets, Mr. Wax agreed to pay $40 to the first man and $27.50 to the second at the Royal Theatre, $40 and $25 to the first and second, respectively, at the Standard, and $25 each to both men at the Pearl.

The agreement became effective Wednesday morning and holds good for one year.

Operators Well Supported

In a letter mailed to Morris Wax, Tuesday, many North Philadelphia organizations and churches went on record as supporting the strikers.

The letter in part reads:

"After serious and thorough consideration of the issues involved in the tsrike, we wish hereby to inform you that we have decided to support the striking operators in their contention since we believe their complaints are just and necessary to the general economic welfare of the population."

The letter was signed by the Union Mutual Insurance Company, Chris J. Perry Elks' Lodge, Parent-Teacher Association, Charity Benefit Club, Uplift Club, Pride of North Philadelphia Temple, North Philadelphia Civic Club, Crispus Attucks Post of the American Legion, United Philadelphia Civic Club, Dental Society;

Domestic Workers of America, Berean Presbyterian Church, Wayland Temple Baptist Church, Haven M.E. Church, St. Augustine P.E. Church, Liberty Baptist Church, Union A.M.E. Church and many prominent individuals.

Rainey's Club Supports

Although Mrs. Madeleine B. Rainey, wife of State Athletic Commissioner Joseph H. Rainey, has opposed the movie operators in their strike action and the commissioner was "in favor of the side that was right," as expressed at a recent meeting held in their home the United Progressive Club, of which Mr. Rainey is president went on record to support the operators.

In a letter mailed from the Raineys' address, bearing Tuesday's date, and addressed to the president of the Operators' Local, the club is quoted as saying:

"The United Progressive Civic Club, an organization of 150 members of the North Philadelphia Community, who are interested in civic affairs of this city, of which also, Joseph H. Rainey is president, has gone on record as supporting you for the stand which you have taken, and urge you to continue your efforts until your demands have been recognized.

"If at any time we can be of any assistance to you, please notify us as to ways and means of co-operating."

Mrs. Rainey Approved

Mrs. Rainey, also a member of the United Progressive Club, in letters written to Wayne L. Hopkins, executive secretary of the Armstrong Association, the Rev. Arthur Rankin, of Berean Presbyterian Church, and State Representative Hobson R. Reynolds, openly opposed the stand taken by the operators.

In Mr. Reynolds's letter, Mrs. Rainey is quoted as saying:

"Those leaders who feel they are doing the race some great good in accepting segregation, and thus holding the race backward must be awakened and shown the error of their ways."

Knocks Hopkins

In Mr. Hopkins's letter, the school teacher said, in part:

"As to your having reputation already, so did Dillinger have a reputation. It was nothing to brag about. It may enlighten you to know that neither money, desire for reputation nor possibility of recognition have caused my position.

"Guess again. I have taken my stand, and no convincing reasons have been offered against it, so it remains. The strike was a mistake."

Hits Minister

Relative to a meeting held in the Rev. Mr. Rankin's church, two weeks ago, Mrs. Rainey said: "To my mind, the procedure in your meeting was entirely unworthy of your intelligence and fairness."

According to Donald W. Wyatt, other prominent citizens were cited by Charles McClane as in favor of the theatre management, outstanding among them being Dr. John P. Turner and Magistrate Edward W. Henry.

Wyatt Thanks Public

When interviewed by the AFRO-AMERICAN, Donald W. Wyatt, industrial secretary of the Armstrong Association, adviser to the operators, said: "It is with deep gratitude that I wish to express my hearty thanks to the citizens of Philadelphia, North Philadelphians particularly for the loyal support rendered the operators in their deserving fight.

Praises AFRO-AMERICAN

"With equal appreciation, the AFRO-AMERICAN newspaper must be commended highly for its unwavering and sincere stand in fighting for our rights in Philadelphia."

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Pullman Porters Protective Association.

PULLMAN PORTERS HOLD ELECTION

Form Of Representation Will Be Decided By Battle Of Ballots

Whether Pullman porters who have grievances against the Pullman Company will be represented by an inside organization — the Pullman Porters and Maids Protective Association—or an outside group—the Brotherhood of Sleeping Car Porters—, will be settled after June 22 when final ballots will have been cast in an election now being conducted by the National Mediation Board.

With Mediator Moffet conducting the election here, balloting was started in the Federal Court Building, Manhattan, on Monday morning, May 27 and will continue to Saturday, June 1. When the polls closed Monday night, it was estimated that some 400 porters had cast their votes and about 100 more who were in line when the polls closed were told to come the following day. Both organizations had tellers at the polls the representative of the inside organization being J. T. Reid, while O. W. Bynum, represented the brotherhood.

While voting wasn't compulsory, it is said that such interest had been aroused over the election that the porters in New York City will almost unanimously register their feelings at the polls before Saturday.

While no prediction as to the outcome was given, both sides were claiming victory when all the ballots cast.

The Brotherhod of Sleeping Car Porters are said to be especially strong in New York, but not strong in the southern districts which are considered as the determining factor in this fight, and where the Pullman Porters Protective Association can boast of the most strength.

The schedule of elections in other sections follows:

May 27-June 1: Chicago, St. Louis, New York, Los Angeles, Jacksonville, Fla.
June 1-7: Atlanta.
June 3-5: Indianapolis, Philadelphia.
June 3-6: Houston.
June 4-11: Oakland.
June 5-10: St. Paul, Minn.
June 6-8: Louisville.
June 6-10: Washington.
June 7-10: Dallas, Fort Worth.
June 8-10: Norfolk.
June 10-13: Cincinnati.
June 11-12: Omaha, Richmond.
June 11-14: Pittsburgh.
June 11-17: San Antonio.
June 13-15: Portland.
June 13-17: Denver.
June 14-17: Cleveland.
June 15-17: Buffalo.
June 17-20: Seattle.
June 18-21: Memphis, Boston.
June 18-22: Kansas City.

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Share Croppers Union.

Greenville, Miss., [redacted] Dem.-Tms.
March 29, 1935

WILLIAMSON, NEGRO SOCIAL WORKER TO SPEAK HERE SUNDAY

Dear Mr. Editor:

There seems to be an uneasiness in many parts of the country about the Share Croppers Union, that is being largely carried on in Ark., Mo,. and La., It is in a small way in every cotton state. For many years, there have been fictitious organizations carried on over the South by agitators, ill-advising and robbing these poor ignorant negroes. Let us not get uneasy; it will unbalance a few negroes, but if the thinkers of both races stand together with level heads, they can stop anything.

I find a number of so-called leaders advising the Negroes to unite to the Share Croppers Union; these leaders are making a great mistake and they should be shown that they are wrong; they are ruining the Negroes instead of helping them.

I am speaking over the country, not opposing these unions only, but every thing that ill advises my people, the Negroes. I am conducting a five-year program, the "Southern Moving School" over the South through lectures and literature for the Negroes.

I will speak at the Court House in Greenville on Sunday the 31st of March at 3 p. m. I am asking the Southern press to take an interest in advertising this work, enabling us to have large crowds of both white and black.

The Negro is an economic factor in the South and he must be property taught and trained or he will be a liability. The foundation of the Negro education is the Home, the Church and the Farm; unless he builds on these, his future is dark. This Association advises the Negroes to remain on the farm, raise his food and feed, stay out of debt and try to become a home owner.

I find the Northern people accuse the planters of robbing the Negro tenants and keeping them in servitude. I find a few landlords mistreating their labor, but the great majority try to help them. More than 90 per cent of these bankrupt lands are caused by landlords trying to take care of their tenants. The majority of the white people are anxious to have the Negro prepare himself and own a home.

I am asking both white and black to attend these metings and arrange for me to make other speaking dates.

REV. J. W. WILLIAMSON,
667 Woodward St.,
Memphis, Tenn.

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Southern Railway Workers.

SOUTHERN RAILWAY WORKERS WINNERS IN FIGHT FOR HELP FROM MEDIATION BOARD

Get Decision After Years of Effort

The trainmen of the South won a favorable decision before the National Mediation Board of Washington, D. C. last week.

For the last ten years there have been many attempts by Southern trainmen of our Race who are refused membership in the white organizations, to envoke the services of the National Mediation Board, in the settlement of disputes between them and the Railway Company, in regard to rules, working conditions and rates of pay, but they have been refused jurisdiction on the grounds that the board only could take jurisdiction where the parties had contracts with the Railway Company, and the Race trainmen had no contracts.

Files Complaint

On March 1, Attorney Nelson M. Willis of Chicago, and Ben L. Gaskins of Washington, D.C., filed a complaint with the Mediation Board, giving a complete history of the struggles and the status of the trainmen of the South for the last fifty years. It further showed the unjust treatment of the trainmen, and called attention to the fact that many men during the last few years have been shot down while on duty on trains, for no other reason than their jobs were wanted by whites.

The brief asked that the Mediation Board take jurisdiction of the complaint of Race trainmen and not shut the door of opportunity to work in their faces on the grounds of a flimsy technicality.

Board Rules On Case

The following is an excerpt from the opinion of the board, rendered on April 11:

"The only answer this board can make to your complaint therefore, is that you inform the employees of the various railroads whose complaints you have mentioned, and their representatives, that they take the matters complained of up with the carriers that employ them in the usual manner as provided in the amended Railway Labor Act, and if they can get no satisfactory adjustment from the management, that they then file a request for the services of this board or of the National Railroad Adjustment Board, depending on whether the case involves changes in rules, wages, or working conditions, or interpretations or application of existing agreements. If the National Railroad Adjustment Board cannot take jurisdiction, the matter may also be referred to us.

If this procedure is followed, it may be possible for us to accomplish something by mediation but this board cannot handle disputes or complaints except as they arise between a specific group of employees and the carrier that employes them; and each such dispute must be handled separately from the others on the basis of the specific facts in the dispute."

Organized Last Year

The trainmen of the South were organized in Washington, D. C., November 6, for the purpose of making a solid front before the Mediation Board and to bring themselves within the 1934 Railway Labor Act. The second annual meeting of the organization will be held in Louisville, May 20th at which time instructions will be given the various units of the organization as to how to get their specific case before the Mediation Board.

Thomas D. Reed, 826 S. 12th St Louisville, Ky., is president and Leyton Weston, 4124 W. Belle Place St. Louis, Mo., is the secretary.

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Southern Tenant Farmers Union.

JAIL GUARD INCREASED

Officers Hear Threats Of Force To Free Organizers

LEPANTO, Ark.—(AP)—The guard around the city jail here was increased to 18 heavily armed officers Sunday after Sheriff J. B. Dubard and City Marshal Jay May said they had heard threats that an attempt would be made to liberate four organizers for the Southern Tenant Farmers Union, arrested Saturday night on charges of disturbing the peace."

At the same time, Sheriff Dubard said he would take precautions to preserve order at Harrisburg, the county seat of Poinsett County, next Thursday when he said the union planned to march to the public square to prepare demands for relief.

Ward H. Rodgers, discharged federal emergency relief administration instructor; Lucien Koth, director of Commonwealth College, Ment, Ark., Atley Delany, Commonwealth student, and Robert Baker, described as a Poinsett County tenant farmer, were arrested during a meeting of 100 Negro and white sharecroppers at Lepanto.

The marshal said Rodgers was speaking "and the other three men were milling about the crowd spreading a lot of gossip that was disturbing the town."

FARMERS' UNION ORGANIZER SAFE

E. McKinney In Chicago After Eluding Armed Tenn. Vigilantes

CHICAGO, Ill.—E. B. McKinney, vice-president of the Southern Tenant Farmers' Union, whose failure to reach Chicago for a conference of Socialist party organizers gave rise to fears that he had been kidnapped, arrived here safely late Sunday night after having escaped from a carload of armed vigilantes in Tennessee.

The Negro labor organizer said he had been riding for 36 hours in Union City, Tenn., where he left a northbound bus when he noticed that he was being followed by a car of "riding bosses" from Arkansas cotton plantations. Some of the men, he said made threats against his life because of his work in organizing the tenant farmers. Ten days previously, his home in Marked Tree, Ark., had been riddled with bullets and he had been warned to leave the state permanently.

McKinney said he evaded his pursurers when the bus halted at a rest stop. He hid near Union City at the home of a union member who later drove him after dark to Paducah, Ky., from which city he came to Chicago.

The Department of Justice was asked by Clarence Senior, national secretary of the Socialist party, to search for McKinney after he had failed to arrive at party headquarters at the expected hour.

McKinney reported that all leaders of the Southern Tenant Farmers Union have been shadowed by agents of the planters since they succeeded a week ago in secretly distributing a union pamphlet to 5,000 farmers in Poinsett and Mississippi Counties. The pamphlet described the terroism against union members in recent weeks.

TENANT UNION FACES INTERNAL SQUABBLE

President Ousted From Headquarters by Negro

FURNITURE REPLEVINED

Stultz, McKinney Claim Leadership of Sharecroppers' Movement—Socialistic Literature Seized

A split in the ranks of the Southern Tenant Farmers' Union, which now has two men claiming the office of president, thdeatehs to destroy the organization, members in Memphis said yesterday.

W. H. Stultz, first president, still claims his title, but was deposed from his directorship of the union headquarters on a farm near Raleigh two weeks ago by E. B. McKinney, negro. McKinney was elected president by one of the factions.

Stultz, who has returned to Truman, Ark., yesterday used a writ of replevin, filed in Squire Jeter's court, to sack the former headquarters of furniture. He also recovered several hundred membeship cards, but was unable to locate the union seal.

The court action was against H. L. Mitchell, secretary of the union, who, with McKinney, is in Washington, according to Mrs. Mitchell who lives at 2595 School. Walter Moskop, another union workers who formerly lived on the farm, is also in Washington.

Blames Reds, Socialists

"Them fellows come down here and ruined our organization," said Cecil McDuffie, Poinsett sharechapper who was here yesterday with Stultz. "They got a lot of Reds and Socialists in it and then went to New York on our money trying to stir up trouble there. We are through with them kind of fellows. We don't want nothing but what is rightful ours."

Stultz declined to make any statement other than to say, "I caught hell about it the last time I talked to you newspaper fellows and you wrote about it."

In the attic of McKinney's shanty was found a large box of socialistic literature, this was taken, by permission of McKinney's family, to the sheriff's office by Deputy Sheriffs Becker and Barboro. It will be returned to the negro, the sheriff said.

Living in the old union headquarters is Ed Pickens and his wife. Pickens, a former Arkansas farmer, came here several weeks ago. He declined to make any statement, or to say which side he is taking in the schism.

SOUTHERN TENANTS DEPOSE PRESIDENT

MEMPHIS, Tenn., May 21.—(AP)—A wide open break within the organization of the Southern Tenant Farmers Union came to light today with the revelation that W. H. Stultz, formerly of Market Tree, Ark., has been deposed as president.

The "executive council" of the sharecroppers' union, organized two years ago in East Arkansas, announced that E. B. McKinney, Market Tree negro, had been named to succeed Stultz.

SHARECROPPERS' HEAD DEPOSED FOR NEGRO

MEMPHIS, Tenn., May 21.—(AP)—A dispute over the leadership of the Southern Tenant Farmers' Union came to light here today with the announcement that the "executive council" had deposed W. H. Stultz, formerly of Marked Tree, Ark., as its president, and substituted E. B. McKinney, Marked Tree negro, in his stead.

Headquarters of the union recently were removed from Marked Tree to a farm near Raleigh, Tenn., several miles from Memphis.

The union said that members had been threatened and abused because of the activity in behalf of east Arkansas sharecropper.

Opponents of Stultz claimed this afternoon that he had gone over "to the planters' side." They said he had been shorn of his authority more than two weeks ago. However, Stultz appeared in a magistrate's court today, and obtained a writ of replevin for the union's seal, a typewriter and union literature.

Sharecropper Union Upset By Strife

CHARGES OF CONTEMPT FACE TENANT LEADERS

Warrants Are Issued For McCoy and Moody

HEARING IS SET TODAY

Dispute Over Property Sought By New "Conservative" Officers Leads To Action In Courts Of Two States

MEMPHIS, Tenn., May 29—(By ANP) — An eruption within the Southern Tenant Farmers' Union occurred last week, resulting in the announcement that W. H. Stultz, former president of the Union, was no longer recognized as such, and had been substituted for, through action of the executive council, by E. B. McKinney, colored organizer, once thought kidnaped.

Although there have been no authoritative reports from the inside concerning the squabble, there are indications that Stultz, during the months in which the Union has been under fire from the planters, has failed to represent the sharecroppers courageously. Some of the Union members complained that Stultz had gone over to the planters.

McKinney, an organizer; H. L. Mitchell, the white secretary of the Union, and W. H. Carpenter, its counsel, have had to carry the brunt of the battle. Stultz has been ducking and the bolder elements within the organization have sidetracked him.

Stultz did not accompany the sharecropper officials who carried a protest to Washington last week, although both McKinney and Mitchell were there.

That Stultz has "gone over to the planters" seems to be indicated in his criticism of the activity of the Socialists in the Union problems. He charged that they "messed" things up.

This attitude of repugnance for the Socialist influence is like that of the planters and of the so-called representative agencies. The Commercial Appeal severely condemned the sharecroppers for going to Washington to tell the story of conditions in East Arkansas, but was all praise for the white farmers who went to the White House to praise President Roosevelt and Secretary Wallace. This newspaper had nothing but scorn, ridicule and criticism for the poor cotton hands.

Arraignment of Henry Moody and Charles McCoy, members of the Southern Tenant Farmers' Union, at Trumann, Ark., on a contempt charged pressed there before Magistrate Green by local members constituting the conservative element is expected to be held today on warrants sworn out following their failure to produce property of the union in court last Saturday.

Warrants were placed in hands of deputies yesterday and arrest of the two was expected overnight. The warrants followed a magistrate's jury trial Saturday at which McCoy and Moody said that the property sought in the attachment was gone and that they did not know where it was.

Awarded Property

The jury awarded J. H. Stultz, president, and leader of the conservative element, title to certain papers and clothing for the needy said to have been left in Trumann after Ward Rogers, radical agitator, and H. L. Mitchell had set up "new headquarters" in Memphis.

Members charged that the particular property in question was moved that day and probably brought to Memphis.

Other major developments in the S. T. F. U. turbulent history are:

1. Writ of replevin to regain possession of the charter and seal from J. R. Butler, a former member of the executive council, and H. L. Mitchell, will be heard before Magistrate E. E. Jeter in Memphis next Wednesday.

2. Eviction of six "radical members," including Ward Rodgers, and H. L. Mitchell, from membership of the Trumann local, S. T. F. U., by "unanimous" vote as announced on yesterday by President Stultz.

New Officers Chosen

3. Election of new officers and a supreme council by the remaining members of the S. T. F. U. at Trumann and Marked Tree, made up of conservatives.

4. Repudiation by the S. T. F. U. of Secretary Mitchell, J. R. Butler "and all of the members of the executive committee that are affiliated with the Communistic and radical parites."

5. Radical members of the S. T. F. U., who fled to Memphis, meeting at Labor Tempie last Sunday (it developed yesterday) got "rid of W. H. Stultz and (C. L.) Meeker at this meeting and if they use the name of the Southern Tenant Farmers' Union, we will put them behind the bars," as related by Ward Rodgers in a letter June 4 to J. O. Green, Trumann.

These developments mean that the battle line is flung for a decision soon between the original members of the S. T. F. U. in Eastern Arkansas and the so-called radicals, who stirred turmoil during their residence at Trumann and allegedly decamped into Memphis when the going got hot.

Follows Raid

The writ of replevin to regain the charter and seal is the culmination of a raid by Magistrate Jeter's deputies at 2595 School Avenue and at Rodgers' so-called "training school" at Raleigh three weeks ago, in which only some furniture and two suitcases said to have been filled with Communistic literature were found. The writ named Mitchell and Butler as defendants and their attorneys asked that the case be set for next Wednesday.

The six who were expelled from membership at Trumann last Saturday when the S. T. F. U. "cleaned house," were Mitchell, Butler, Rodgers, Walter Moskop, E. B. McKinney, negro, formerly vice president and leader of the delegation to see Cully A. Cobb, AAA cotton administrator, and A. B. Brookins, negro minister of Marked Tree, all allegedly active in radical or Communistic circles.

The new executive committee is composed of Joe W. Johnston, J. O. Green, W. A. Gilbert, Jesse Cook and Robert Dunn, all residents of Trumann and Marked Tree and all farmers.

The members of the S. T. F. U. at Trumann passed resolutions condemning the ousted members for "teaching and using union funds for spreading Communistic doctrines and using union influenec to collect funds to carry on illegal teachings." They also made inquiries as to the disposal of possibly $1,000 in funds believed to have been paid into the union treasury, but which they say has never been accounted for.

Memphis, Tenn., Com'rcial Appeal
June 18, 1935

S. T. F. U. IS WINNER IN COURT SKIRMISH

Deputy Prevented From Turning Over Union's Property

A fiat, or stop order, preventing Deputy Sheriff L. E. Roper from turning over to W. H. Stultz and others at Trumann, Ark., the seal, charter and other properties of the Southern Tenant Farmers' Union was issued yesterday by Chancellor Bejach, who set 9:30 o'clock tomorrow morning for hearing of an injunction suit in the case.

The injunction was requested by J. R. Butler, who claims the presidency of the S. T. F. U., and H. L. Mitchell, who claims to be secretary. The properties of the S. T. F. U. were ordered turned over to Stultz and his followers last week when Squire E. E. Jeter heard Stultz's suit seeking to replevin the properties.

Butler and Mitchell appealed to circuit court; they claimed that Stultz was preparing to put up bond and claim the disputed articles. Butler and Mitchell, with Ward Rodgers, alleged radical agitator, moved to Memphis two months ago to "escape the reign of terrorism" at Trumann, they claimed, and set up S. T. F. U. headquarters at 2595 School and a "training school" at Raleigh.

FARMERS' UNION MEETS IN LITTLE ROCK, JAN., 1936

25,000 To Be Represented AT 3-Day Session

12-29-35

LITTLE ROCK, Ark., Dec. 27.—The second annual convention of the Southern Tenant Farmers' Union will be held at the Labor Temple here January 3, 4 and 5, 1936 Representatives of more than 200 local, county and state organizations, representing more than 25,000 farm workers, sharecroppers and tenant farmers from six states in the mid-south and Southwest are expected to attend.

For the first time in the history of the South a representative group of the actual producers of cotton will gather to discuss their common problems. To this meeting will come Mexican workers from South Texas, Indians from Oklahoma and Race and white workers from all of the states. The credentials committee of the union reports that 125 delegates have already been chosen by their locals to attend the convention.

"The convention is unique," said H. L. Mitchell, secretary of the STFU, "in that it will be the first opportunity southern cotton field workers have ever had of mutually talking over their common problems and in presenting them to the nation as a body. The delegates come straight from the cotton fields where the union recently won a substantial victory in a cotton pickers strike. Through the strike we raised their wages from 58 per cent to 100 per cent.

A number of labor unions have given notice that fraternal delegates will be sent to the convention. A special invitation has been extended all bodies affiliated with the American Federation of Labor to send representatives to this meeting. The recent convention of the A. F. of L. which met in Atlantic City heartily endorsed the Southern Tenant Farmers' Union and called upon all of its affiliates to extend all possible aid to the union.

Cotton Farmers' Union To Convene in Little Rock

Representatives of 25,000 Farm Laborers, Tenants and Sharecroppers from Six States Expected at Convention

LITTLE ROCK, Ark., Dec. 19.—The Second Annual Convention of the Southern Tenant Farmers Union will be held at the Labor Temple here on Jan. 3, 4 and 5. Representatives of more than 200 local, county and state organizations, representing more than 25,000 farm workers, sharecroppers and tenant farmers from six states in the Mid-South and Southwest, are expected to attend.

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"The convention is unique," said H. L. Mitchell, Secretary of the S. T. F. U., "in that it will be the first opportunity southern cotton field workers have ever had of mutually talking over their common problems and in presenting them to the nation as a body. The delegates come straight from the cotton fields where the union recently won a substantial victory in a cotton pickers' strike. Through the strike we raised their wages from 50 per cent to 100 per cent. Hundreds of dollars have been collected from unscrupulous and dishonest landlords by union attorneys. The union has been able to force many landlords to settle their accounts in a fair and honest way with their tenants. The new model contracts, which the union recently adopted, are being signed by the better class of landlords who want to deal honestly with their tenants."

Mitchell said that the cotton field workers all over the South were watching this convention. "The eyes of the suffering, the starving, the dispossessed and exploited workers of the cotton fields are turned toward the convention in Little Rock. These people are waiting, he said, for this body of men in Little Rock to blaze a new trail for a new day in the old South."

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Mitchell said that a special invitation was being sent to the Young Peoples' Conference of the Methodist Church which meets in Memphis the latter part of December. The Methodist Young People will be asked to send representatives to the S.T.F.U. convention at Little Rock.

Labor—1935

Tennessee

Unions, Strikes, etc.

VIOLENCE THREATENED BY NEGRO STRIKERS

Officers Ordered to TERA Serving Shop

Threats of violence from a committee of "striking" negro women in a TERA sewing shop in an old skating rink on Marble Street, caused J. R. Garrett, county administrator, to order special officers to the plant yesterday.

The officers are to be on guard when the shop opens this morning, as a new shift of women appear. Sixteen members of the other shift struck Saturday.

The sewing apprentices are being paid 15 cents an hour for making rag rugs. When they become more skilled they are paid 20 cents an hour, and when fully skilled the pay is 30 cents an hour and the work includes making of some articles of clothing.

A committee of the strikers called on Mrs. Dorothy Osborne, TERA relief director, and other officials, yesterday. They demanded higher pay, and the end of the more than a week of delay between the completion of a work-week and pay day, which is due to the recent order shifting all disbursements to Nashville.

Knoxville Journal

JOBLESS UNIONS MULTIPLY FAST

Negro Head Refuses To Quit; New Units Formed.

Unemployed unions in Knox county multiplied swiftly as discord last night swept the ranks of jobless men gathered at the courthouse.

In confusion the Knox County Unemployed union adjourned by order of its harried Negro president, Frank Kyle. But not before Vice-President R. H. Rutledge and Secretary Carl Henderson had resigned their offices in disgust.

As the Knox County Unemployed union members filed out of the courthouse, remaining jobless men formed the Knox County Unemployed league, with Rutledge as president, Tom P. Fowler as vice-president and Cash W. Owens, secretary.

Disruption flew into the meeting as debate waxed hot over whether last night's session was for reorganization or was merely a regular meeting of the KCUU.

REFUSES TO RESIGN

The turmoil reached its height as repeated calls came from the floor for the resignation of the Negro president.

"I won't do it," he refused.

"I was elected for a year's term and can't be ousted unless by a quorum vote of the same group that elected me."

The group then numbered several hundred members, but split some months ago to form the third organization, the County Laborers said proudly. "We have been successful in getting rid of Otto Roehl (ousted last week as county relief administrator). You can credit that to this union."

TERMED RACE ISSUE

"This is nothing but a race issue," he charged. "I'm not going to resign. I'm not going to sacrifice myself or my race's rights."

When the meeting turned chaotic, Kyle recognized a shouted motion for adjournment and its second, declared it passed and left hurriedly.

In the half-empty hall, remaining men formed the new league. Neither the Knox County Unemployed union nor the Knox County Unemployed league nor the Knox County Laborers' union has announced date or place of its next meeting.

COOPERATION between legionnaires and law-enforcement officers has become an accepted part of America's pattern of emerging fascism. In Chattanooga, Tennessee, this unholy alliance recently demonstrated its valor in defense of reaction by hounding fifty-nine delegates to the All Southern Conference for Civil and Trade-Union Rights out of town and across the Hamilton County line. Since no resistance was offered, the legionnaires and officers were deprived of the opportunity of waging a genuine battle for the status quo. But they did their best. Wiley Couch, six-foot political boss of the county, assaulted a Nashville minister, secretary of the General Board of Christian Education of the Methodist Episcopal Church South, who had committed the indiscretion of asking Mr. Couch why the officers and legionnaires had assembled. The legion had successfully exerted pressure on the Odd Fellows and Negro Pythians to refuse the conference the use of their halls, and when the conference finally met, in a Negro beer hall, the delegates were greeted by a mob of twenty-five policemen, four detectives, and about thirty-five legionnaires. The defenders of law and order then hustled the delegates over the county line and took their stand at a crossroads to guard the border. The delegates, however, doubled back by another road and successfully held their conference at Monteagle, some 120 miles away. The Chattanooga *News* committed lèse majesté by printing the facts as they occurred, rapping the American Legion editorially, and printing without comment the First Amendment to the Constitution and a section of the Declaration of Independence.

Writers, 'Safe' In Nashville, Renew Their Claim They Were Fired Upon

NASHVILLE, TENN., July 31—(AP)—Four men and a woman, representing the national committee for the defense of political prisoners, made Nashville their "haven of safety" tonight after what they described as a "harrowing experience" with "Alabama vigilantes."

Gov. Bibb Graves came to the conclusion at Montgomery, Ala., that the group's story of being fired upon yesterday near Clanton, Ala., was a "publicity stunt."

But the five, Bruce Crawford, Miss Shirley Hopkins, Alfred Hirsch, Emmett Gowen, and Jack Conroy, insisted here that their automobile, bearing two bullet holes in the left front fender makes our story more truth than fiction."

The car left in Birmingham, was en route to Nashville tonight. They said that "our plans for the future will be settled when the car gets here."

"We probably will go to New York to report this lawlessness in Alabama to our committee headquarters," Crawford said.

The committee members went to Birmingham to "test" that city's "anti-sedition" ordinance, which makes it unlawful to possess "radical literature."

"We contend such a law is unconstitutional," Hirsch declared. "And we went to the city hall to hand out radical literature for the purpose of being arrested and the opportunity of testing the ordinance in the courts.

"The police took us into custody fingerprinted us and I was struck on the head. But they released us before formal charges were filed."

After the attempted "test" in Birmingham, the group left early Tuesday for a conference with Gov. Graves at Montgomery.

"We were about 13 miles out of Clanton," Conroy related, "when a dark-colored, closed car headed us off and one of the occupants fired five or six times at our tires. Two shots hit our left front fender."

Conroy said they returned to Clanton, took a bus into Birmingham, and then a train into Nashville. Their attorney took possession of the car at Clanton.

Gov. Graves declared that the group's story was "absolutely groundless." He said the district solicitor at Clanton and State police had made a "complete investigation."

In a telegram to the Alabama governor late today, the committee members charged that he "openly invited further violence" by "refusing our request for an escort."

"Once more," the telegram added, "Alabama has confirmed the widespread impression that she is unable to govern herself peacefully."

Burns, Tenn., New Idea
August 29, 1935

Negroes Removed

Last Monday the colored CCC boys were removed from Montgomery Bell National Park near Burns, and, again the white CCC boys have been moved in. This matter has been discussed pro and con and would likely have caused trouble, more probably directed at the white officers in charge, who showed an arrogant attitude toward some of the local workers. So far as the negro boys were conserned they were well behaved and had the sympathy of of many who realized they were placed in an embarrassing position not of their own making or choosing.

Burns, Tenn., New Idea
August 29, 1935

NEGROES LEAVE

Last Friday, a new consignment of white CCC boys arrived at the Montgomery Bell Park, which replaced the negro that have been stationed at that camp, which is near Burns.

There has been consider-

able opposition to having the negro boys at the park and the change was no sup prise tothe people of Burns section. Senator McKellar and congressman Joe, Byrns have taken an active interest in the matter, and registred opposition to placing the colored boys in the park. It seems that no one blames the negroes but the ones higher up, that placed them in the park.

Labor—1935

Texas.

Unions, Strikes, etc.

NEGRO AND WHITE LONGSHOREMEN WIN CONCESSIONS IN 19 PORTS

Crusader News Agency

HOUSTON, Texas.(CNA)- Gulf Coast longshoremen, Negro and white, have won concessions from shipping companies in nineteen ports. Agreements with the International Longshoremen's Association are now being signed by the deep sea shipping companies as well as by coastwise companies.

12-14-35 New York, N.Y.

Lykes Brothers, largest shipper on the Gulf and most opposed to the union, are also now negotiating a settlement of the strike in Gulf ports.

The Strike for the right of collective bargaining has been waged particularly against those companies which practice an anti-Negro policy.

The strikers won a five cents per hour increase in wages and one cent per bale increase in cotton handlers' wages. This raises the deep sea scale to 85 cents per hour and 16 cents per bale. The coastwise scale is 80 cents an hour.

On the instructions of President Ryan, the I.L.A. has agreed to settle only for western Gulf ports and to leave the strike in eastern Gulf ports to mediation before the McGrady Board. The I.L.A. also agrees to split the work with the 250 members of the Lone Star Longshoremen's Association, a company union and to give it an I.L.A. charter.

Oppose I.L.A. Head

The Gulf longshoremen bitterly oppose these terms and have conceded them only because of the refusal of Ryan to carry out the boycott of the Gulf cargo in Atlantic ports, despite his promise of a tie-up of Gulf ships in other ports.

Unions, Strikes, etc.

UNITY OF NEGRO, MEXICAN, WHITE WORKERS WINS STRIKE IN TEXAS

DALLAS, Texas - (Special to CNA) - Negro workers played an active part in the recent general strike of Dallas relief employees. Throughout the two weeks' struggle, Negro, Mexican and white workers stood shoulder to shoulder. Crusader news agency 4-6-33

"You white workers are in the same leaky boat that we Negroes have always been in," one organizer addressed a joint assembly, "if we keep on trying to bail out that boat, are we all going to be drowned? We're either going to sink or swim together." These remarks were greeted with tumultuous applause.

Although the strike was not a complete success, substantial gains were made for the unemployed. The city water department has since employed four hundred additional laborers, and the county highway system is also employing more men. Payment on both jobs will be made in cash instead of direct relief.

The city welfare department has also made concessions. A threatened parade of hungry children forced it into an agreement to provide free milk in the future. The department has also promised to furnish food to destitute families, whether or not those families are on relief rolls.

Violence Flares As End Of Dock Strike Is Sought

Negro Worker Shot While Longshoremen's Leader Sees Hope For Peace

Court Suit Hinted

New Orleans, Meanwhile, Reports Shipping Boom With Other Ports' Traffic

GALVESTON, TEXAS, Oct. 25.—(AP)—Shootings, threats against shipping interests, court injunctions and a guarded forecast of an amiable settlement clouded the longshore strike situation tonight on several fronts.

Joseph P. Ryan, president of the International Longshoremen's Association said he believed it "possible for the opposing sides to end the controversy."

Even as he spoke, Alex Perry, a negro dock worker, was shot at Beaumont. A carload of men halted a taxicab and ordered three negro dock hands, one of them Perry, to alight. At least 20 shots were fired at the fleeing trio and Perry fell, wounded in the side.

Ryan admitted he was "not suggesting a settlement outlook is bright," but added he believed it possible.

"On Nov. 1 a number of contracts at eastern ports will expire. This will mean a complete tie-up. Business is now humming and there is no reason why both sides can't agree so that each will share in this prosperity."

Albert Anderson, an I. L. A. district official, when served with papers in a membership expulsion case at a public railroad station, angrily threatened to "tie up everything everywhere" if the shippers "persist in further grandstand play."

Strikers were handcuffed at Port Arthur and Port Neches by a Federal Court injunction. It restrained "anyone" from interfering with dock hands in the loading or unloading of cargo at the two ports. A hearing was set for Oct. 30 at Beaumont.

New Orleans enjoyed the best port shipping boom in a quarter of a century. Pickets patrolled the Lake Charles port, center of the strike controversy.

Cargo was stacked on New Orleans docks and in railroad yards and shippers began active diversion of Lake Charles and Texas shipments into New Orleans for export.

The International Association will stick by its original demands, Ryan said, chief of which is recognition by Texas shippers of the Lake Charles port. Wage demands have been met.

LAKE CHARLES, LA., Oct. 25.—(AP)—Predictions of an early settlement of the troublesome Gulf ports strike of the International Longshoremen's Association were mingled today with threats of further warfare in the deadlock over demands made of the steamship men for full recognition of the I. L. A.

The port of Lake Charles has been idle since Tuesday when two port guards were shot and killed and eight others were wounded in a major battle between 75 armed dock patrolmen and hundreds of strike sympathizers.

Gov. O. K. Allen ordered the port closed Tuesday after the violence and Sheriff Henry Reid said today the Governor told him over telephone that it would remain closed until a solution to the labor problem is reached.

There were 150 carloads of freight stacked here, awaiting movement pending an agreement in the controversy, but at New Orleans the port business was booming as ships and railroads diverted their business there from Lake Charles and Texas ports where open violence has flared.

New Orleans, as well as other Gulf ports, was loading and unloading ships with independent labor under police protection and before the eyes of the I. L. A. pickets.

Several ships have been worked at Gulfport, Miss., since the strike was called on Oct. 1 and the I. L. A. picketing there against the use of non-I. L. A labor has been carried out peaceably under a city ordinance enforced by the police and harbor patrol limiting pickets to three men to a block.

But today the I. L. A. leaders were reported grumbling against enforcement of the ordinance with the declaration that its bounds had been broken by the importation of "strikebreakers" in Gulfport.

In response to this tense situation the port authorities have erected a stone fortress and two guard houses lined with steel plates on the docks as a temporary protection frontier against bullets in any open hostilities.

Gulfport authorities declared that order would be maintained at all times by a special force of 30 officers augmented by 26 policemen with equipment such a machine guns, riot guns, and tear gas.

FIRE SHOTS AT THE HOME OF DOCK WORKERS

BEAUMONT. Sunday at 2:15 a. m., an unidentified man fired two shots from a pistol, in the house of Will Williams who lives in the 800 block on Powell street. No one was struck by the bullets. A daughter-in-law of Williams who lives with him, narrowly escaped, a bullet whizzing over her head and lodging in the door frame. The other bullet was found on the floor under the bed. Ten or fifteen minutes previous to the shooting two shots were fired in front of Isaac Ross' home, 735 Jackson street. Williams and Rosa both are members of the Independent Longshoremen who have been working on the docks during the three weeks strike. Williams took sick several days ago and came home. Ross was working on the docks and was not at home when the shooting occurred.

Negro Is Drowned In Outbreak At Houston

Advertiser

HOUSTON, TEXAS, Nov. 8.—(AP)—One negro was drowned and another beaten today in the most serious outbreak of violence on the Houston waterfront since the start of the strike of the International Longshoreman's Association four weeks ago. 11-9-35

The drowned negro was Will Ballenger. His brother-in-law, Sam Brown, was severely beaten.

Police were informed that Ballenger was drowned after he had jumped into the ship channel in an effort to escape from several men who had attacked him and Brown.

Investigators were told that the assailants were striking longshoremen.

Texas Dock Hands Strike; Two Killed

Chronicle 11-22-35

HOUSTON, Tex., Nov. 22—(By W. Thomas Smith for ANP)—The strike of the dock workers in this section resulted in a two deaths here within two days when a gang of white and Negro longshoremen caused the drowning of Will Ballinger, Negro, Friday, and when a dock policeman shot and killed Harvey Parker, white, Saturday.

The situation involving the wharf workers, which already has resulted in deaths in other southern port cities, in addition in innumerable clashes between strikers and strike-breakers, is steadly increasing in proportions and may eventually spread to include ports farther north, it is said.

Ballinger, who was 35, had been working as a strikebreaker. Friday, he attempted to leave the wharf section and was attacked by several men, both white and colored, who are alleged to have been regular longshoremen.

After beating Ballinger, the men are said to have tried to drag Ballinger into a car, but he wrestled away from them and ran. The gang chased him and beat him again, but their victim again got away and in a desperate attempt to elude them, took to a wooded section through which flows the turgid dark waters of Bray's Bayou.

On the banks of the bayou the gang closed in on Ballinger. Then the strikebreaker plunged into the water and struck out for the opposite bank. But his pursuers are said to have thrown rocks at him, striking him several times. Ballinger sank and did not come up. His body was recovered several hours later by police.

SHOT FOR BEING "OUT OF PLACE"

The death of Parker, 28-year-old white man from Florida, is an odd

commentary on the South. He was shot and killed by Dock Policeman A. H. Patterson because he was sleeping on the side of the warehouse, now used as quarters for the strikebreakers, designated for Negroes.

According to the private policeman, he warned Patterson to get over to the side for the whites, but the white man is reported to have said:

"What the hell is the difference, buddy? We are all in this thing together. And what difference does it make to you where I sleep?"

Patterson is then alleged to have threatened Parker with the result that in a few seconds the men were struggling about in combat. This was ended when Parker drew his gun and shot Patterson.

Patterson was charged with murder, following an inquest, but was released in bonds of $100. He claimed he shot in self-defense.

It is estimated that at least 16,000 Negroes have been affected by the strike, most of them being members of the longshoremen's union.

T.S. Burroughs, 37, and Joe Haney 36, were arrested Saturday in connection with the death of Ballinger.

RACE ISSUES MARK TEXAS DOCK STRIKE

White Worker Killed When Seen Resting in Negro Camp

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Youth, 17, Beaten Up On Houston Waterfront

HOUSTON, Nov. 11.—(AP)—A 17-year-old high school student, was beaten today in the latest flare-up of violence on Houston's strike-torn waterfront.

The youth, Fred Buckner, suffered a lacerated mouth when he was struck by one of several men who overtook his automobile.

Young Buckner told Detective Capt. George Peyton that he had just taken his cousin, Pete Campbell, to work at Dock 7, where Campbell is employed as a checker.

Three negroes were beaten yesterday.

STRIKERS AND STRIKEBREAKERS—

They call some of them strikers, while others bear the name of strikebreakers. I refer to the Negro men who stopped work on the water front because they wanted a better chance for Negro dock workers in all of the Gulf ports, and to the Negro men who have taken their places. The former they call strikers, and the latter they call strikebreakers.

The truth is, however, that ultimately the interests of both groups are exactly the same. It is only in organization that labor will ever have a place of decent living in our complex modern economy. It is unfortunate that the strikebreakers cannot see this. Of course, the explanation lies in the fact that as between starvation for himself and his family and serving as a strikebreaker, the strikebreaker has scarcely any choice.

But, if organized labor loses and is destroyed in the longshoremen's strike now on, it is only a matter of time when the strikebreakers themselves will be facing the very starvation wages and living conditions which the striking longshoremen are fighting against in their strike.

Picket the S.S. Scanmail

ON OCT. 31, Earnest Dukes, a Negro longshoreman on strike at Mobile, Ala., was shot dead by a policeman who was herding a scab onto the dock, through the picket line.

On Oct. 21, Etienne Christ, a white longshoreman, was found dead, beaten, slashed and shot to death by scabs or their armed guards, near the Texas Co. Terminal at Port Arthur, Texas.

These are but two of a list of nine deaths in the Gulf coast strike. The Gulf longshoremen, Negro and white, are giving their lives to prevent the smashing of the International Longshoremen's Association there, and its replacement by company unions.

Scab cargoes from the Gulf coast are boycotted by Pacific coast longshoremen. Boston longshoremen are actually driving the scab-loaded Liberty Glo from the harbor.

Seamen strike on ships with "hot" cargo. The Gulf strike is solid, whatever International President Ryan says, and the tide is beginning to turn in favor of support in other ports.

In this situation will, and can, the New York coastwise longshoremen go calmly ahead, as they have been doing, and unload ships from the Gulf?

Tomorrow morning the Morgan line ship Scanmail is expected at Pier 49, North River, from New Orleans. Never mind what rumors are spread about the waterfront by the I.L.A. officials. Get together and force the local union delegates to stop all work on the Scanmail. There should be a picket line in front of the dock where this ship lies!

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United Mine Workers

HOLD MINERS' FATE Members of the United Mine Workers' wage-scale committee who were in conference at Washington, D.C., last week. Left to right: Samuel Shelford, white, H. L. James and H. B. Dulin.

Afro-American 4-6-35
Baltimore, Md.

LEWIS'S MOVE WIDENS FIGHT IN A. F. OF L.

Daily Worker

Division on Union Form Is Sharpened by Mine Chief's Resignation

11-25-35

WASHINGTON, Nov. 24.— A single sentence from John L. Lewis, president of the United Mine Workers, created a sensation throughout the labor movement yesterday and threw a new spotlight on the struggle between industrial and craft unionism.

New York Post

The sentence—a curt letter to William Green—announced Lewis's resignation as a vice-president of the American Federation of Labor.

With his resignation, Lewis automatically ceased to be a member of the A. F. of L.'s Executive Council which, composed in the main of craft unionists, has stubbornly refused to conduct organizational drives in the mass production industries.

This latest step by the chief of the huge miners' union, is seen as a further sharpening of the fight between industrial and craft union forces that threw the recent A. F. of L. convention in a turmoil for the first time in years.

Lewis's letter, which is understood to have followed a bitter rebuke by Green for the position by Lewis at the convention, read:

Dear Sir and Brother:

Effective this date, I resign as a vice-president of the American Federation of Labor. Yours truly

JOHN L. LEWIS,

The resignation of Lewis does not mean a split from the A. F. of L., it was made known. Lewis will continue to press for the building of the unions in the mass production industries such as rubber, auto, steel, cement, metal mining, etc., without any division of the newly organized workers into craft unions. To further this organization of the unorganized, a Committee was recently organized which includes the presidents of eight industrial unions of the A. F. of L.

Included in this committee, in addition to the coal miners union, are the A. F. of L. metal miners, textile, typographical, millinery, ladies garment, Amalgamated garment, and Oil Workers International Union. John Brophy, of the United Mine Workers, is secretary of the committee.

At the A. F. of L. convention last month, in Atlantic City, the forces advocating industrial unions in the mass production industries received 11,00 votes to 18,000 for the craft union forces led by William Green.

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Virginia

Unions and Strikes, etc.

Eastern Shore's Potato Strike

Journal and Guide

AS MUCH as we are in sympathy with the potato growers and all other farmers who are suffering on account of low market prices for their products we cannot escape a feeling of uneasiness over the equanimity with which the press and people of the State viewed the recent action of Eastern Shore potato growers in establishing by force an embargo on potato shipments. 7-6-35

However much a selling price below cost of production of a commodity may stir the indignation, it strikes one not personally affected as being dangerous business when men interested in production and selling form themselves into "committees" and stop harvesting and shipping by force of arms.

That nobody bent upon getting a load of potatoes to market was shot is due probably to the fact that none had the temerity to resent having the tires shot off his truck. Norfolk, Va.

A community in which men can arm themselves and prevent other people from doing business by force strikes us as being on the verge of anarchy.

Evidently the embargo, enforced by armed men, had the approval of the law enforcement authorities, as we have seen no account of any interference with the vigilantes by the forces of law and order.

If the potato growers of Eastern Shore can resort to arms with impunity to bring the price of their products up to where they want it, then the tobacco growers of the Southside may do the same thing. And so on **ad infinitum** through the whole agricultural and industrial organizations of the State. And if and when that is done we shall have anarchy.

We are glad the potato growers were able to enforce their demands for a living price for their product, but we view with alarm the measures they pursued in doing so.

Union Officials Claim 125 In Walkout At Finklestein Co. Police Guard Premises

Norfolk Journal and Guide 7-6-35

Attempts over a period of months to organize the workers of the Sam Finklestein Clothing Manufacturing plant in Ingleside, Norfolk County, by the Amalgamated Clothing Workers of America, reached a climax early Wednesday morning with a walkout estimated by Union officials to have affected as many as 125 persons.

With several carloads of Norfolk City and Norfolk County police on the scene, the strike was being carried out in an orderly manner as late as Wednesday afternoon. No arrests had been made and strikers and their sympathizers contented themselves with orderly picketing and parading.

Officials of the Amalgamated Clothing Workers estimated that at least 125 workers walked out of the plant or refused to begin work Wednesday morning, and that at least six departments were badly crippled or production stopped entirely. Reports that a half dozen or more pressers had been brought from the city in an effort to block the strikers in this department could not be confirmed.

While officials of the Amalgamated Clothing Workers were willing to present their side of the controversy, several attempts to get a statement from Irving Lyons, plant superintendent ended in failure. A Journal and Guide reporter was told that Mr. Lyons was "very, very busy," and was invited to wait. The reporter waited approximately a half hour without contacting the superintendent.

Earlier in the day, however, Mr. Lyons was quoted as saying that only 20 female employees had walked out on strike. He denied also that the firm had refused wages or lengthened working hours since the NRA was declared un-Constitutional in a Supreme Court decision. Union officials, however, stated that this, together with the fact that the company had consistently refused to sign an agreement giving the workers the right to bargain collectively in the matter of wages, etc., was responsible for the walkout.

J. S. Potofsky, assistant general president of the A. C. W. A., who has been working in this area for the past several weeks in the interest of unized labor, said Mr. Lyons had refused to sign the agreement as recently as Monday night. The contract calls for a 36-hour week, arbitration of any grievances between workers and officials of the plant, and no strikes or lockouts during the life of the agreement, which would last one year.

Mr. Potofsky said he tried vainly to persuade Mr. Lyons to allow the Finklestein employees to vote on the question of whether they want to be represented in collective bargaining by the A. C. W. A., or by the Finklestein Beneficial Association, an employees' organization.

Union Official's Statement

"We have come in good faith in an effort to reach a peaceful understanding between employees of the plant and the company," Mr. Potofsky said. "We've bent every effort in that direction. The company has rebuffed every attempt in that direction. We offered to leave all matters in dispute to arbitration. We also offered to have a vote taken of all employees to determine who should represent them in collective bargaining.

"A strike is a means of last resort. We've done everything in our power to avoid it. We told the company that responsibility for any industrial dispute is entirely upon them. We stand for fair play, for collective bargaining, and for justice and right for all concerned."

The agreement referred to by the union official, it was revealed, was first submitted to company officials about five weeks ago but was rejected by them. E. L. Pickler, president of the Norfolk Central Labor Union, has also intervened in the dispute between Finklestein officials and those of the A. C. W. A., in an effort to reach an amicable setlement.

Meeting Held Thursday

A meeting of Finklestein employees was scheduled to be held Thursday night at 421 Freemason St., at which it was expected that the strike would be declared officially in effeect. Wednesday's action was described as "a spontaneous walkout."

George Streator, organizer for the A. C. W. A., said Wednesday that preparations for the walkout were handled with the strictest secrecy, not even the workers themselves knew of it until it was actually called.

Norfolk City and Norfolk County officers were on the scene all day Wednesday and moved about inside and outside the plant as the strikers, all of whom were identified by streamers across their chests, paraded about noon more than 100 persons were in line, many carrying signs reading: "From a sweatshop join the Amalgamated to a Union shop," and others.

The strike apparently had the sympathy of local organized labor. Several persons representing other lines of organized industry joined actively in the demonstration Wednesday morning. Principal among these were representatives of the International Longshoremen's Association, who are organized almost 100 per cent in the port of Hampton Roads.

Between 400 and 500 men and women of both races are employed at the Finklestein plant.

A Guide reporter at the strike scene early Wednesday was told by at least six different strikers that Manager Lyons refused to see a mixed delegation of employees and that he gave as one reason the presence of Negroes on the committee. Mr. Lyons' version of this could not be secured up to the time this article was written.

MINER'S UNION DISCUSSED AT LYNCHBURG 'Y'

Journal and Guide

LYNCHBURG, Va. — The Coal Miners' Union is among the most democratic unions in American Federation of Labor in its treatment of Negroes, according to Ernest Calloway, labor organizer and educator, who was the guest speaker of the public affairs committee of the Y. W. C. A. here Tuesday evening of last week. Mr. Calloway spoke on "Labor Problems in the Coal Mining Industry." 11-2-35

Mr. Calloway was himself a miner. Depicting the condition of miners in the Kentucky fields, he said they were virtual peons.

Mr. Calloway explained the dissatisfaction which is developing among the progressive miners against John L. Lewis' leadership. The hazards of mining were outlined by him. Norfolk, Va.

These meetings are held each Tuesday by the public affairs committee at which time some current public question is discussed. Thomas L. Dabney was the speaker on Tuesday this week.

Norfolk Citizens Committee Endorses Purposes of Strike

Journal and Guide, Norfolk, Va. 8-31-35

The group of citizens who voted endorsement of the purposes of the strike of employees at the clothing plant of Sam Finkelstein and Co., in Ingleside, Norfolk County, at a meeting held Monday night. Endorsement was voted following addresses by J. S. Potofsky, vice president of the Amalgamated Clothing Workers Union, and George Streator, union organizer. Prior to the vote, which was unanimous, there were short talks by many of those present. The strikers are seeking better pay and working conditions. The union claims that over one hundred of the workers are striking. About 500 men and women of both races are employed at the plant.

Those in the picture left to right, are: seated, A. J. Tice, E. L. Pickler, president of the Norfolk Central Labor Union, the Rev. E. O. Cowan; Dr. G. Hamilton Francis, the Rev. G. W. Watkins, Dr. E. D. Burke, and J. S. Potofsky. Standing, H. C. Young, Dr. I. K. Givens, Winston Douglas, George Streator, the Rev. B. W. Harris, David Alston, the Rev. W. L. Hamilton, and the Rev. B. B. Evans. Several at the meeting left beforetha picture was made.

John Brown's Forerunner.

(100 Years Ago, Charleston News & Courier)

Charleston, S.C. Mercury 8-13-35

Lynchburg, (Va.), Aug. 3.—Look out!—An Englishman, by the name of Robinson, supposed to be a circulator of incendiary Abolition papers, left Richmond on Friday last, and was traced as far as Raines' Tavern, where he was lost sight of. He is described as about five feet eight inches high, well made, genteel in appearance, florid complexion, light hair, rather curly, particularly about the locks, and rather talkative. He is said to have arrived in Richmond, last Thursday, in the steam boat Kentucky. Look out for him!

A Virginian.

Use of Negroes As Strikebreakers Is Uncertain

Journal and Guide

LYNCHBURG, Va.—Whether or not Negroes and whites will be used to break the strike of 160 employees of the S. and K. Knee Pants Company here as was reported Saturday, could not be learned early this week. All of the strikers are white who quit their jobs Friday when negotiations for higher wages between representatives of the Amalgamated Clothing Workers of America, who are backing the strike, and company officials failed. 9-7-35

Th exact number of Negroes employed by the company could not be learned early this week because of the holiday vacation and the reluctancy of company officials to discuss the situation. A few Negroes are employed as janitors, it was reported, at one of the units of the plant. Norfolk

Warren T. Stewart, Farley Holder, and Miss Elizabeth Hawes, representing the Amalgamated Clothing Workers of America, said early this week that the strike would last indefinitely. Ample provisions, it is said, have been made to care for the strikers. Meantime, W. Bruce Montgomery, district WPA head, expressed the opinion Saturday that the strikers may be eligible for government aid.

Company officials have warned the strikers that they will lose their jobs as they intend to employ others to take their places. Friday 12:15 p. m. was set as the deadline by the company for the strikers to return to work. By that zero hour, however, not more than fifteen of the girls had returned to duty.

Star Automobile Salesman Winner of Many Honors For Successful Work

Journal and Guide

ETHAN ALLEN JORDAN

Ethan Allen Jordan, above, for about six years has been salesman for the Hughes Motor Company of West Point, Va. This company rated as the leading authorized auto sales company for Chevrolet, Oldsmobile and Pontiac in the vicinity. Mr. Jordan, has during his career, won a number of cash prizes and awards for his untiring work. Among these are two watches, gloves and an overstuffed chair. He was recently awarded membership in the "50 Car" chapter of the Chevrolet Corporation of America, receiving a beautiful gold medal in the form of a pin, which gives him outstanding distinction among car salesmen.

His business capacity and tact in salesmanship have won for him the highest respect of the manager and his manner of approach and mastery of the automobile has given him an enviable place among auto salesmen. His business brings him in touch with a number of customers, most of whom are white, but his colored patrons receive equal courtesy from him, the only direct recognized colored salesman of his line of merchandize in this section of the country.

When approached for a statement, Mr. Jordan told the Journal and Guide that he is appreciative of the patronage given him by his many customers and friends and thanks them for the business, which has enable him to attain his present standing in auto salesmanship. He may be reached by calling or addressing him at his home post office, Little Plymouth, Va., or at the Hughes Motor Co., West Point, Va.

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Workers Conference Against War and Fascism

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New York Herald-Tribune

APR 8 1935

Thomas Tells Workers To Unite Against War

1,200 at Conference Take Pledge Not to Fight

Norman Thomas, Socialist leader, urged consolidation of workmen in opposition to war at the Workers' Conference against war and Fascism, held last night at Mecca Temple, 133 West Fifty-fifth Street. The 1,200 person who attended the conference all took a pledge "to participate in no more war."

Rabbi Sidney Goldstein, of the Free Synagogue, said that workmen employed at navy yards and munitions factories ought to throw up their jobs at once and insist that they be put to work building hospitals and schools and homes. Representative Thomas R. Amlie, of Wisconsin, recommended social ownership and control of the means of production as the best way of ending war.

Other speakers were Dr. Abraham Lefkokwitz, legislative representative of the Teachers' Union; Luigi Antonini, acting president of the International Ladies' Garment Workers' Union; Julius Hochman, vice-president of the same union; Frank Crosswaith, Negro Socialist leader, and Joseph P. Lash, national secretary of the Student League for Industrial Democracy.